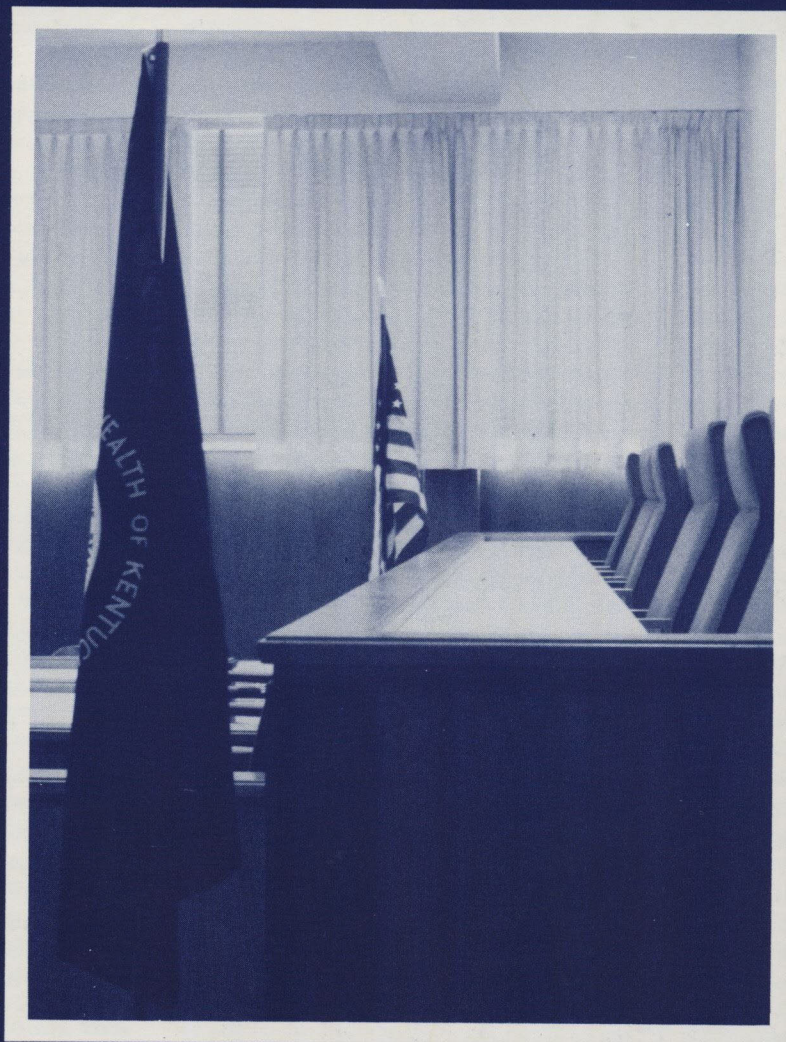


# LAWYER

*Kentucky*

*University of Kentucky College of Law*

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# Dean's Report

Deans, like other administrators, spend a lot of time trying to tame and then manage that ubiquitous animal, the budget. It is a tiresome and dangerous job, exposing one to the risk of losing an arm or leg or, in the extreme case, being eaten alive. It may keep one awake at night or, alternatively, condemn one to hellish nightmares in which the "central administration" announces that the dean has so screwed up the budget that the phones, xerox machine, lights, water and all sanitary facilities must be turned off until the beginning of the next fiscal year (inevitably, about six months away.)

While I can say without equivocation that managing the budget is the part of my job that I like least, the process occasionally uncovers facts and generates ideas that transcend the budgetary process itself. I propose to share with you some observations I have made and some conclusions I have drawn from those observations, as I have wrestled with the law school's budget over the last two years. The observations and conclusions, I believe, are clear and simple.

I have observed that we use a relatively paltry amount of assets to educate lawyers at the University of Kentucky. I assume the same is true at other universities. Lawyers, the legal profession and, most importantly, legal educators have done a very poor job in the competition for educational assets, and I believe we have weakened the profession as a result. Our collective failure in this regard says something about our own views of the profession and of the significance of our educational footing. None of this is very complimentary to us.

Do you realize that budget at the College of Law is approximately 0.5% of the total University of Kentucky budget? Think about that. Less than one half of one percent of the University's total budget is spent educating the lawyers of this state.

I realize that the foregoing is quick and dirty and overly simplistic and subject to claims that I have not properly accounted for fixed costs, overhead, etc. But even if one generously accommodates such factors in the calculation, it is difficult in my mind to get the number to 1%, and I suggest that my point is still entirely valid. The assets allocated to legal education at the University of Kentucky are relatively paltry, and I believe the same is true at other universities.

The conventional wisdom in universities is that legal education is cheap, especially when compared with other professional schools, such

as medicine. I would argue, however, that it is cheap only because we in the legal profession and in legal education have allowed it to be defined as such. I would further suggest that even a superficial look at medical education is instructive for us in regard to the level of asset commitment that is appropriate for professional education.



*Dean Rutheford B Campbell*

Today, a medical school may have a student-to-faculty ratio approaching 1 to 1. Our student-to-faculty ratio at the College of Law is around 20 to 1.

Why have we allowed this condition to exist? There seems to be nothing in the medical discipline that justifies such disparate treatment.

Certainly the quality of legal education could be improved dramatically if we were able to devote more faculty attention to our students. The law school experience, the quality of the bar and the overall quality of justice could be improved if law schools had smaller classes, more individualized skills training, more individualized theoretical training, classes in which law students could be forced to face and solve tough litigation problems or tough problems generated by merger agreements, etc., etc. Medical schools understand this and have successfully laid claim to assets sufficient to implement this model. Why have we in legal education not done the same?

Similarly, in our major "equipment" needs, which are our books and our library facilities, we have never demanded a level of support that anywhere approaches the successful demands of the medical school for equipment. Although we may not need as much "equipment" as medical schools, certainly our need for library support is every bit as critical to us as X-ray machines are for the medical school. But judged by any standard, the support for our library at the College of Law historically has been modest at best. When one evaluates those expenditures as the equivalent of capital expenditures at the medical school, they are, regrettably, outrageously low.

Again, why have we allowed this to happen? Why have we not demanded a library capable of supporting adequately the teaching and research functions of the law school and the research demands of the practicing bar? Is it inertia? Indifference? Certainly it is not the lack of political muscle to address the matter.

Law is as important to a society and to Kentucky as is medicine. If one needs proof of this, one should look to other countries or societies where malfunctioning or nonfunctioning justice systems have eviscerated the government and destroyed the quality of life for their

citizens. Laws and the lawyers who administer the laws are major protections against such calamities.

It is clear to me that the University of Kentucky College of Law and law schools generally are a vital part of all of this. My experiences as a practitioner, a law professor and a citizen of this state and nation convince me that high quality institutions of legal education are essential not only to lawyers personally but also to the system of justice they help administer. In addition to their obvious role in educating lawyers to administer our justice system, law schools through their teaching and research efforts also test and shape ideas of fairness and justice, as those ideas are proffered by students, academics, practitioners, legislators and judges. All of these functions are essential to a free society.

The purpose of my writing is not to attack the medical profession or the medical educational establishment. Indeed, I compliment them on their ability to convince society that it takes a big commitment to train a urologist. Nor is the purpose of this writing to argue that law schools need resources on a parity with medical schools. Clearly, law schools do not need a student-to-faculty ratio of 1 to 1, and we do not need the same amount of plant and equipment as is required to educate medical students.

My purpose is merely to point out that legal education needs a relatively better shake in the overall allocation of educational resources at universities. A student-to-faculty ratio of 1 to 1 is excessive for a law school, but I believe a ratio no greater than of 12 to 1 is necessary for the individualized attention and diversity of course offerings that is required for a legal education. Also, of course, our "equipment" requirements need the same priority as the equipment requirements in medical schools. This too is necessary for legal education.

In the scheme of a university's total budget, we need only a relatively modest increase in assets to fulfill our commitment to provide a fine legal education to our students. I believe the investment is worth it.

## KENTUCKY LAWYER

*Kentucky Lawyer* is published twice each year by the University of Kentucky College of Law, Lexington, Kentucky. Our purpose is to provide a source of information for alumni, friends and others interested in the law school's past, present and future as well as to offer a forum for the legal community to comment on substantive, practical or philosophical aspects of the law. Criticism or compliments are welcome.

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# Reflections

This issue's "Reflections" feature looks back on more than 75 years of history for the *Kentucky Law Journal*. The first issue of the *Journal* contained twenty pages and two substantive law articles (one reprinted from the October 1875, *American Law Review*.) Contemporary issues contain well over 200 pages and numerous articles significant to the profession. This year, Mead Data Central opened another era by selecting the *Journal* to be included among the law reviews available via the LEXIS computerized legal research service. The following article was written by Professor of Law Emeritus, Paul Oberst, and was first published in the Fall 1989-90 issue of the *Kentucky Law Journal*. It serves as an excellent chronicle for the publication and we are pleased to reprint it here (footnotes excluded) with permission of the *Kentucky Law Journal*.

Editor

## The Kentucky Law Journal-- 75 Years

By Paul Oberst

With the completion of volume 76 of the *Kentucky Law Journal (Journal)* the University of Kentucky College of Law celebrated seventy-five years of continuous publication. The editors have concluded that a diamond anniversary justifies some consideration of the origin and development of the *Journal* and what the next quarter century might hold for student-edited law reviews.

The Harvard Law Review, which celebrated its one hundredth anniversary in 1987, is commonly said to be the oldest academic law review in continuous publication. It is startling that the *Journal*, which began twenty-six years later, accurately claims to be "the tenth oldest." Obviously, the almost universal urge of present day law schools to publish at least one law review did not exist in the late nineteenth and early twentieth centuries.

A half century ago, Douglas Maggs reported that thirty-five law reviews were published by the sixty-seven law schools that were members of the American Association of Law Schools (AALS). In addition, eight law reviews were published by nonmember schools. Thus, Maggs was prompted to pose two questions: "Should, then, every law school publish a review? Or is there danger that the present multiplication of law reviews will tend to lessen the aggregate contribution of all law reviews to the law?" After surveying the functions of law reviews that are advantageous to law teachers, contributing law students, noncontributing law students, law school publications, practicing lawyers, judges, nonlawyers (in other social sciences), and to the improvement of the law, Maggs reached a verdict: "The conclusion is offered that each law school not now publishing a law review should be encouraged to institute

one." And institute they did. In 1976, Olavi Maru reported that "[i]n 1972, all but 11 of the 149 schools approved by the American Bar Association published law reviews." Ten years later, Roger Cramton noted that, in 1984, there were 174 nationally approved law schools and they were publishing approximately 250 student-edited law reviews, which probably totaled over 150,000 pages per year.

This development has not been without its critics. In 1936, Fred Rodell wrote a comment entitled *Goodbye To Law Reviews*. The choice of title suggests that Rodell was working with a somewhat clouded crystal ball. He asserted: "There are two things wrong with almost all legal writing. One is its style. The other is its content. That, I think, about covers the ground." His attack was leveled mostly at the stilted writing and identical layouts of the reviews, rather than their content. Twenty-two years later, in a reprise, Rodell insisted that writing style was still his principal concern, but in a single sentence he also anticipated some of the present-day critics when he characterized law reviews as "a ludicrous merry-go-round on which everyone gets a brass-ring, fat jobs for editors, promotions for professors, free dirty-work done for lazy lawyers, while the merry-go-round never gets anywhere."

Why has the publication of a law review become mandatory for the American law school? It is not a requirement for accreditation by the American Bar Association (ABA) or the American Association of Law Schools (AALS). Perhaps there is now an expectation that every well ordered law school should publish a law review, as it has become an important and vital sign, if not a requirement, for accreditation.

Critics complain that law reviews are mostly unread. Studies have been made of law review citations in judicial opinions for the purpose of ranking the utility of the various law reviews. If the number of pages published by even the most frequently cited reviews is compared with the number of judicial citations, one might conclude that the voluminous law review is a fairly ineffective method of serving the judiciary.

Harold Havighurst once observed, "[w]hereas most periodicals are published primarily in order that they may be read, the law reviews are published primarily in order that they may be written." He did not intend to denigrate the usefulness of law reviews. Rather, he meant to emphasize the importance of law reviews as a method of educating students. When the Socratic dialogue, the Socratic monologue, or the straight lecture followed by the comprehensive examination were the sole fare of law school curricula, the law review was prized as a research and writing experience. It was even suggested that, because law review experience is so valuable, it should be extended to all students. Whatever may be said about students

editing leading articles written by scholars, professors, judges, and practitioners of greater maturity and experience, there can be no doubt that researching and writing a student note or comment for law review publication is still a useful educational experience. The focus is individual and the prospect of publication is challenging, which is a welcome change from the classroom.

Advantages to institutional prestige and individual student education aside, the usefulness of law reviews to the judiciary and to practicing lawyers also has been the subject of frequent favorable comment. Although in earlier days judges may have hesitated to cite law review materials in writing opinions, the frequency of citation has steadily increased. One suspects that, even today, law review materials are more frequently used than cited by judges and their law clerks. Lawyers rely on them in practice, and their effectiveness is so valued that charges have been made that law reviews are sometimes compromised by the surreptitious planting of supposedly impartial articles by lawyers who fail to disclose their interests. In the long run, the bar assuredly finds some value in law reviews other than the ranking of law students for placement purposes.

So much for law review publication in general. On the seventy-fifth anniversary of the *Journal*, our purpose is to investigate the origin, purpose, persistence, and usefulness of the *Journal* through the past seventy-five years and to take stock of both its problems today and its plans for the future as it seeks to survive and prosper in this crowded arena.

### Growing Up Hard In The A. & M.

Academic legal education has quite a history in Lexington, Kentucky, beginning with the appointment of George Nicholas as professor of law and politics at Transylvania University in 1799. Charles Warren describes this as "the first collegiate law professorship intended for other than undergraduates that had any permanency,"

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although it was antedated by George Wythe's appointment at the College of William and Mary. Subsequently, the University of Louisville and Centre College opened law schools in 1846 and 1894 respectively. All three were private institutions and were operating law schools in 1908, when the Kentucky Legislature decided that a fourth law school should be established and supported by the Commonwealth of Kentucky.

The University of Kentucky has its origin in an 1865 act of the state legislature accepting the provisions of the Morrill Act, which provided federal support for state agricultural and engineering colleges. University operations began in 1873 on a campus in largely paid for by local citizens. They included an administration building, an agricultural experiment station, "Mechanical Hall" for engineers, and a barracks building to house student cadets. An "academic department," housed in the administration building, supplied necessary courses in arts and sciences. The institution was named "The State Agricultural and Mechanical College of Kentucky."

In March 1908, the legislature enacted a law changing the name of the institution to "The State University, Lexington, Kentucky" to reflect a broadened scope of instruction. It also directed that "a department of law" and a "Department of Medicine and Surgery" shall be established. The law school was authorized by the board of trustees in April 1908, and opened four months later. It was not until 1960 that the medical school was opened for classes, after four years of planning and construction at a cost of \$30,000,000.

The moving figure in this explosive law school beginning was Judge William T. Lafferty, who was then a practicing lawyer in Cynthiana, Kentucky, and a member of the newly renamed university's board of trustees. He had received an A.B. degree from the Agricultural and Mechanical College, but was admitted to practice in 1879 at Cynthiana without having had any academic instruction in law. He then served as county attorney, county judge, and representative in the state legislature and had practiced law for twenty-nine years when he offered to serve as founding dean of the new law school.

Judge Lafferty obtained the use of two rooms in the Education Building, and instituted a two-year course leading to the LL.B. degree, which he taught with the part-time assistance of Judge Charles Kerr of Lexington and T.E. Moore of Paris, Kentucky. No pre-law education was required. Twenty-eight students were admitted and all were graduated in 1910. The following year, Dean Lafferty extended the law course to three years and required a high school diploma and one year of college courses for admission, which made the school eligible for admission to the Association of American Law Schools in 1912.

During the first year of operation, no law books were on hand other than the texts used, but, in the following year, a library of three hundred books was available, including a full set of the Kentucky Reports. Construction of a new building for mining engineering in 1910 opened up the third floor of the Science Building, and the law school took it over in April 1911 and began its fourth year (1911-12) with ninety students and a two thousand volume library. Judge Lyman Chalkley, a University of Virginia School of Law graduate, who had been dean at Transylvania University and the University of the South, joined Dean Lafferty as the only other full-time faculty member. Four members of the Lexington bar served as adjunct faculty: J.R. Bush, J. Embry Allen, G.W. Vaughn, and Judge Charles Kerr.

In the following academic year (1912-13), amid this new prosperity, the *Journal* was born. Volume 1, no. 1, dated January 1913, was issued by a staff of four students without any mention of a faculty editor or advisor. The founders were James Sory, Henry Spencer, and brothers Harry and Ike Miller. An editorial declared the purposes were to produce a *Journal* "useful and entertaining both to the practitioner and the student of law" and "to come into closer touch with members of the bar and with their assistance to help advance the science of jurisprudence." In addition, the *Journal* proposed to advance legal education in Kentucky by urging that three years of pre-law college education be required and that a permanent state board of bar examiners be created. This was a daring suggestion at a time when the State Bar was a voluntary association, there were no pre-law requirements, and law office study could be substituted for law school study.

The *Journal* was to be published monthly and apparently was intended to combine the roles of law review, bar journal, and alumni bulletin. The first volume consisted of five monthly issues totalling eighty-two pages. They contained news notes about the law school and alumni, "case and comment" editorials, as well as short articles by faculty, judges, and practicing lawyers (including a few reprints). Occasionally, the *Journal* also included legal jokes, no doubt intended as entertainment. Volume 5 even contained an alumni directory proudly listing 102 names.

Financing the new *Journal* must have been a real problem. It was priced at fifteen cents per copy or one dollar per year, and subscriptions by members of the bar were sought constantly. The number of "monthly" issues in succeeding volumes varied from a high of eight down to a low of one in 1918, when the impact of World War I took its toll. In Volume 6 (December 1917), the *Journal* proclaimed that it was now the official publication of the Kentucky State Bar Association, and published five issues to-

talling 392 pages. It carried full page ads by legal publishing companies, banks, and local merchants. The student editor-in-chief hailed the passage of Senate Bill 43, which vested in the Kentucky Court of Appeals the power to fix moral, academic, and legal requirements for admission to the bar, and created a Board of Bar Examiners. The court, however, would be slow to act.

The next four years (1918-22) were quite precarious. Volume 7, no. 1 did not appear until March 1919. An editorial note reported there were only thirty-five students and they were heavily involved in the Students' Army Training Corps. Faculty members were also busy offering courses in military and international law to the cadets. Professor Reuben Hutchcraft was killed in action on November 7, 1918, four days before the armistice. Members of the bar who were called upon for contributions were too busy with war activities. Professor W. L. Summers was editor-in-chief and Dean Lafferty was business manager for this issue only.

Difficulties continued with volume 8 which was limited to a single issue consisting solely of three articles by the faculty; but volume 9 was back on track. Four issues were published by a student staff of five and Faculty Advisor G. W. Goble. An editorial note announced that although "scarcity of paper and of editors" during the war had made it necessary to suspend publication, "with this number the Kentucky Law *Journal* re-assumes its pre-war place as a regular legal periodical and as the official organ of the State Bar Association." Members of the Kentucky Bar Association would receive the *Journal* free of charge.

The law school also was prospering. The pre-law requirement was now four years of high school plus one year of college. The library boasted 11,000 volumes, plus a fine collection of law periodicals. The faculty now numbered five full-time professors, with four part-time instructors who offered courses on special phases of law and procedure.

In 1922, Professor W. Lewis Roberts became the *Journal*'s faculty advisor and continued in this post for seven years. He was a diminutive, strict, no-nonsense New Englander. The students were certain that his model was the famous Professor Edward W. "Bull" Warren of Harvard. In Roberts' property classes, students expected to be forced out onto a limb only to have it cut off. Under his reign as faculty advisor, the *Journal* quickly adopted the standard Harvard format of articles, notes, case comments and book reviews, and regularly published four issues per academic year. Professor Roberts became "Faculty Editor" instead of advisor. The articles were largely written by the law school faculty, lawyers, and judges. The staff of ten to twelve students wrote "Notes" and "Case Comments" mostly on Kentucky law



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and cases. The *Journal's* policy was explained by an editorial entitled The Law Review and the Bar. After pointing out the usefulness of law reviews to practicing lawyers, the editorial comments:

There are today two well recognized types of law reviews, the national and the local . . . It is to this latter class of reviews that the Kentucky Law *Journal* belongs, though it does not confine itself to local law . . . It has received the commendation of members of the Court of Appeals, and it has been cited by that court. It is the desire of its editors to put the *Journal* into the hands of every lawyer of the state, and thus increase its usefulness. It solicits the cooperation and support of the members of the State Bar Association, both as to contributions and subscriptions.

With this summary, Professor Roberts went to Harvard on a sabbatical and, during a two year interregnum, the *Journal's* faculty editors were Professor George Ragland (volume 18) and Professor Frank Randall (volume 19).

Meanwhile, in 1925, the law school moved into the fifty-two year-old Agriculture Experiment Station Building. The building was a hand-me-down from the chemistry department, which had been provided with a new building. The secondhand building was remodeled into a law building with two classrooms, an ample library, and faculty offices. The basement provided a student recreation area and an office for the *Journal*. This building served the law school from 1925 to 1937, when, for the first time, a new building was constructed specifically for the law school. The new structure was named Lafferty Hall for the "founding dean" of the law school.

Dean Lafferty died in November 1922, and was succeeded in 1924 by Charles Turck, a Vanderbilt University professor who resigned three years later to become president of Centre College. His successor, Dean Alvin Evans, served as dean from 1927 until his retirement in 1947. Dean Evans was a graduate of the University of Michigan Law School, but, during the twenties and thirties, Harvard Law School seemed to be his principal source of inspiration. Law was taught from Harvard case books by faculty members with Harvard S.J.D.'s. The *Journal* adhered faithfully to the Harvard Law Review formula of leading articles, notes, case comments, and book reviews. In class and out, however, there was always an effort to be cognizant of the local diversities of Kentucky law, which is appropriate for a state-supported law school.

## Roy Moreland's *Journal*

In 1931, Professor Roy Moreland was named faculty editor of the *Journal*, and he continued in that position until 1950. Moreland was a native of Kentucky, a graduate of Transylvania University and the University of Kentucky College of Law, and he ultimately acquired a Harvard S.J.D. After four years of practice in Lexington, he was appointed to the faculty in 1927 and continued teaching until his retirement in 1966. The *Journal* was one of his main concerns, and he had no doubt that he was not merely responsible, but that he was in charge.

The law school during the thirties was quite small. There were usually about one hundred students and a faculty of six or seven, including the dean. The entering class averaged around fifty, was typically cut to thirty-five for the second year by dropouts and those who failed to meet academic standards, and some twenty-five students graduated. Since, at that time, only two years of pre-law and two years of law were required to sit for the Kentucky bar exam, some members of each class went into practice without receiving either the A.B. or the LL.B. degree.

Membership on the *Journal* staff was highly prized and depended entirely on first year grades. The six or seven top ranking students were notified by Moreland of their appointment to the staff, and to decline was virtually unthinkable. With a typical staff of twelve or fourteen students, editor Moreland put out the *Journal* for nineteen years. Staff members did not receive any academic credit, much less any cash, for their work. Since there was no effort made by the law school toward placement of its graduates, the staff member had no recruitment advantages. One possible bonus was a recommendation by the dean for a fellowship at one of the few graduate law school programs.

One senior, usually the student editor-in-chief, was responsible for editing the leading articles. The job was mostly one of cite checking; Moreland held the author responsible for the substance. Every volume contained a dozen or more articles dealing with both local and national matters. There were no planned issues, symposiums, or annual surveys of Kentucky law. Articles were not solicited, but the *Journal* always had a vast pool of articles from which to choose.

Faculties of other law schools were a chief source of articles. At this time, half the law schools were not publishing law reviews. The *Journal* had been publishing for decades and was receptive to outside authors. Articles came from nearby law schools, but also from the east coast and California. Some faculty authors were sufficiently pleased with the *Journal* to end up as regular contributors. Other articles bore the indicia of graduate school research: a footnote that the author had received the S.J.D. degree

from Harvard, Yale, Columbia, or Michigan a year or two earlier. Some of these articles were produced by foreign scholars visiting for a year in the United States. The Kentucky faculty, small as it was, also produced a number of articles each year for the *Journal*, though seldom on Kentucky law.

Moreland was always eager to have the *Journal* better serve the Kentucky bar, perhaps to increase its circulation and local influence. He regularly urged members of the bar to write for the *Journal* but with little success. Occasionally, a "Legislation" section would appear in the *Journal*, always to comment on Kentucky legislation. One year Moreland published a number of opinions authored by state circuit and federal district judges "on questions of law not passed on by the Kentucky Court of Appeals." This included an opinion by Judge King Swope of the Fayette Circuit: "Has the fiscal authority of the County the authority to purchase a fire-truck?" Also, when the law school accepted a grant to do the Kentucky annotations to the *Restatement of Contracts* in the late thirties, they were published serially in the *Journal* for several years.

Despite the *Journal's* local mission, its business managers were reminded that one of their most important functions was to build up "exchanges." In a time of national depression and inadequate state support, the *Journal* contributed to building the law library collection by exchanging issues with as many other publications as possible.

The notes and comments section of the *Journal* was produced almost entirely by the student staff. There was an occasional note by a faculty member or practitioner, too brief to make the articles section, which was printed apart from and in advance of the student work. Student material printed as a note generally dealt with some disputed legal issue, sometimes directed at clarifying the Kentucky law, but often on a general question of common law or statutory development. Case comments were briefer pieces of two or three pages, written to criticize a recent Kentucky Court of Appeals decision or merely to inform the bar of new authority. Choice of the subject matter of student notes or cases to be commented upon was left to the individual student with the advice of the student note editor and the case comment editor, who were charged with scanning the Kentucky and federal advance sheets. The student staff depended heavily on the suggestions and advice of the faculty, especially the faculty editor.

That Professor Moreland was a most willing source of subjects for notes is obvious. He had a life-long interest in criminal law, and sometimes half the notes were in an area in which Moreland was then working. Sometimes student writers were assigned different phases



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of a particular issue in criminal law, but Moreland was even more delighted when two students agreed to write on the same subject and took conflicting positions.

When World War II emptied the law schools, the *Journal* continued to publish four issues per year. In 1943-44, the faculty fell to four and the student body to twenty-five, but Moreland's volume 32 came out with 373 pages, of which 147 consisted of a prepublication of his *Rationale of Criminal Negligence*. The student staff consisted of only four members, and the notes and case comments sections totalled only seventy-nine pages.

With the end of the war, the faculty doubled and the student body jumped from twenty-five to 275. By 1948, Dean Evans and Professors Roberts and Randall had retired and were replaced by Professors Oberst, McEwen, Stahr and Matthews, who were fresh out of military service. The average age of the faculty dropped from the low sixties to somewhere in the thirties. Strangely enough, none of the new faculty members had any connection with Harvard. The students also were mostly veterans who were in a hurry to finish law school. Under the quarter system then in force, this required only two years and three months. The *Journal* staff soon increased to fourteen or fifteen students, the *Journal* itself increased to about five hundred pages, and student notes and comments accounted for as much as one-third of the *Journal*.

## Onward And Upward in Lafferty Hall

In 1950, in the midst of volume 38, Moreland retired as faculty editor and was succeeded by Professor Fred Whiteside. Professor Whiteside's greatest impact was on the articles section. The miscellaneous collection of unrelated articles in previous issues was frequently replaced with planned and solicited symposium issues and commentaries. The symposium on civil procedure included not only leading articles, but also student notes and comments. A symposium on wills, in memory of Dean Evans, featured ten articles from leading scholars in that field and seven related student notes. Other symposia on self-incrimination, Kentucky government and politics, mental responsibility and the law, and recent Kentucky developments were published. After each biennial session of the Kentucky Legislature, there was an issue featuring commentaries on selected statutes.

The student-written section of the *Journal* was entitled "Notes and Comments," and ran more to notes on points of law than to comments on recent Kentucky cases. With volume 43 a section on recent cases was established that continued for many years, and eventually was superseded or supplemented by an annual survey of Kentucky Court of Appeals decisions.

After serving as faculty editor from 1949-56 (volumes 38 to 44), Professor Whiteside

resigned to go to Yale for a research year. He was succeeded for one year by Professor Oberst, who changed the masthead by listing the faculty editor last instead of first. When Professor Fortune took over in 1969, he changed the title of his position to faculty advisor; subsequent volumes have retained this change. The effect of these changes in perspective is another story.

With volume 45 in 1957 came a division of the notes and comments section into two sections: notes and recent comments. Additional emphasis was placed on comments analyzing recent Kentucky decisions. The purpose was not only to serve Kentucky lawyers with critical commentary on the current output of Kentucky courts, but also to advise the national bar of significant developments in Kentucky law that other law reviews might overlook.

Professor Thomas Lewis was faculty editor of the *Journal* from 1957-62, except for a graduate year at Harvard when Professor Bill Lewers substituted for him. The appointment of Professor Lewis marked a significant change in faculty editorial policy. It was decided that a young professor joining the faculty after serving as editor on a law review was ideally equipped to deal with *Journal* problems and would relate better to the student staff. Besides, it was a handy way to reduce the teaching load of a beginning teacher.

The emphasis on symposia continued with such topics as the first Justice Harlan, Kentucky procedure, city planning and zoning (five student notes), and atomic energy. The *Journal* anticipated the coming of continuing legal education when Kentucky shifted from its one hundred year-old Field Code of Civil Procedure to the Federal Rules of Civil Procedure and also became the third state to adopt the Uniform Commercial Code. State bar conferences on both areas of the law resulted in the publication of numerous *Journal* articles in volumes 47 and 48 (1958-1960).

When John Batt joined the faculty in 1962, he too was promptly assigned the faculty editor job, which he held for three years—the *Journal*'s last three years in Lafferty Hall. It was the beginning of the "Great Influx," when total enrollment climbed in four years from 116 in 1960-61 to 311 in 1964-65. The size of the *Journal* staff jumped from fifteen in 1962 to thirty-eight in 1965. The faculty increased from ten to thirteen, including the dean and the librarian. Unfortunately, the only constant was the amount of space. There was sometimes standing room only in the library at Lafferty Hall.

Professor Batt continued the *Journal* in its existing form, but the content changed considerably. Almost every issue was a symposium: federal taxation, anti-trust, law enforcement, estate planning, or family law. Other issues broke new ground for the *Journal*: obscenity, jurisprudence, foreign policy, and the "First

Annual" Kentucky Court of Appeals review (written wholly by students). In addition, the *Journal*, in cooperation with Attorney General John Breckinridge, printed two reports of the Committee on the Administration of Justice in the Commonwealth of Kentucky: a special in volume 51 and a report on Law Enforcement in Kentucky in volume 52.

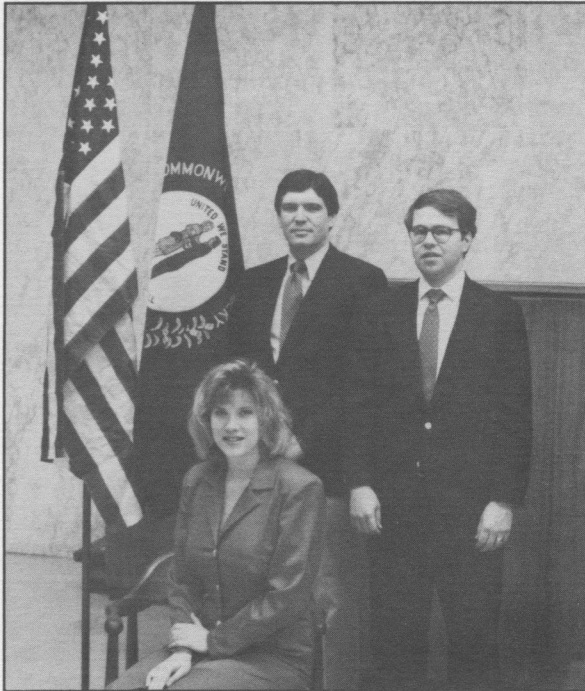
And so, as the College of Law abandoned Lafferty Hall in the summer of 1965 for larger quarters in a new building, the *Journal* had reached out in new directions with a larger staff and increased size—a remarkable feat considering the crowded conditions of the classrooms and library and the low faculty-student ratio. The new building, which was designed to house an expected increase in enrollment to as many as four hundred students over the next two decades, would have almost that many to start up—but that too is another story.

In the new law school building, there was ample space for growth. The student population reached five hundred at one point, and the faculty increased to twenty-five members. The library now boasts 300,000 volumes. Women students, who totalled less than four percent of the student body in 1965 (18 women of the 434 law students), have increased to nearly forty percent. Where one dean reigned alone in 1965, today there are three associate deans dealing with student affairs, recruitment, placement, and continuing legal education.

The *Journal* also has changed in many ways, both in goals and management. Today, we expect it to survive as a useful adjunct to the University of Kentucky College of Law well into the twenty-first century and to celebrate its one-hundredth anniversary in 2013 with increased confidence in its role as a student edited law review.

*Paul Oberst's fondness for UK, the law school, and for Kentucky is widely known and sincerely appreciated. He graduated from the College of Law in 1939 and in 1941 received his LL.M. from the University of Michigan. He taught at the College from 1946 to 1982 when he assumed Emeritus status. Among Professor Oberst's continuing efforts of UK law are his unsung duties as unofficial resident historian.*





*New Flags for the Courtroom with the Help of Casey Coleman, '91, Jim Newberry '81, and Chas Lavelle '75.*

the assistance of the Law Alumni Association and that group generously agreed to purchase two matching flagpoles to complete the project.

The College of Law appreciates the efforts of all involved. The courtroom is now a bit more "dressed up" for the nearly continuous use it receives from students, graduates, the legal community and the public. Associate Dean Eberle is currently seeking a source for a large (36" to 48" diameter) seal of the Commonwealth to place over the judges' chairs behind the bench. This should add a final touch in providing the law school with one of the more attractive courtrooms in the state.

## UT Dean Visits UK: "Race, Sex Should be Irrelevant"

Marilyn Yarbrough, Dean of the University of Tennessee College of Law, praised women and minorities for the advances they have made in the professions, but stressed that there is a long way to go in the battle for equality.

In a March 7 speech sponsored by the Women's Law Caucus and the Black American Law Students' Association Yarbrough said, "It should not be noteworthy that I am a black, woman law school dean. . . . Women should enjoy their successes, but we should strive for the day that the successes are so common that they become commonplace."

Too many women attorneys fail to remain in the legal profession, and those that do often fail to reach positions of authority, according to Yarbrough. "The refusal to acknowledge women's accomplishments is as damaging to them as psychological barriers," and men and women should reinforce each other's successes, she said. Yarbrough cited statistics indicating that female attorneys earn only 57% of what male attorneys earn.

Yarbrough, a native of Bowling Green, Kentucky, is a graduate of Virginia State College and UCLA. She has been Dean of the University of Tennessee College of Law since 1987 and is the only black female law school dean in the country.

## College of Law Professor Emeritus Establishes Human Rights Fund

Paul Oberst, College of Law Professor Emeritus, and his wife Libbet have established a Human Rights Fund at the law school. The Fund will be used to support programs dealing with racial and religious discrimination, freedom of speech, academic freedom and tenure, and due process and equal protection of the laws.

Professors Robert Schwemm and Bill Fortune administered the Fund for the 1989-90 academic year. Income from the Fund will be used to bring nationally known speakers to the College of Law. Donations can be made to the Fund by check, payable to UK, with a notation that it is to be earmarked for the Human Rights Fund.

## College of Law Courtroom Comes to Order

The main courtroom at the College of Law has a new ambiance as a result of combined efforts from several sources. For years the Courtroom had only an extremely faded U.S. flag and no Kentucky flag. Earlier this year that situation was remedied by the joint efforts of a tenacious student, a generous alum and the assistance of the Law Alumni Association. Class of 1991 law student, Katherine "Casey" Coleman spent substantial time and effort to obtain a U.S. flag flown over the United States Capitol. Then, 1981 alumnus James H. Newberry, formerly with the Office of Lt. Governor Brereton Jones and now partner in the law firm of Newberry, Hargrove and Rambicure, purchased and donated a Kentucky flag. Associate Dean Todd Eberle then solicited the

## Polish Law Professor Visits College of Law

Andrzej Swiatkowski, Professor of Law at Jagiellonian University in Cracow, Poland, visited the College of Law on March 26 and 27. Professor Alvin Goldman served as his guide and host.

Professor Swiatkowski holds an LL.M. from the University of Pennsylvania and is chair of the Labor Law and Social Policy Department at his school. He teaches and practices in the areas of labor and employment relations and is the editor of the English Language Yearbook of Polish Labor Law and Social Policy. He also serves on a committee for the codification of Polish labor law and social security.

Professor Swiatkowski delivered a lecture to International Law and Employment Law classes on "The Impact of ILO Standards Upon Employment Law in Poland: Past, Present and Future." He also presented an SBA Forum talk on "Legal Education and Law Practice in Poland—The Impacts of Political Change."

His visit was jointly sponsored by the College of Law and the Student Bar Association.

## Japanese Law Professor is Scholar-In-Residence For 1990-91

Law Professor Takayoshi Yoroi of Ryukoku University in Kyoto, Japan will be spending the 1990-91 academic year as a scholar in residence at the University of Kentucky College of Law. Professor Yoroi, an established Japanese labor law scholar who has published many books and articles, will be studying comparative American labor law using the College of Law's library collection. His particular area of interest is the law of individual employment contracts. Professor Alvin Goldman is acting as Yoroi's faculty liaison during his stay at the University.

## College of Law Bulletin Gets an Update and a Facelift

The College of Law's Committee on Publications chaired by Assistant Professor Donald A. Winslow, has completed a new 44-page College of Law Bulletin. The format and content are being updated and expanded to reflect the attractiveness of Lexington, the major advancements of the College of Law in recent years and its rapidly growing reputation among the nation's law schools. Winslow indicated that the new larger format publication is presently being sent to those requesting information about the law school and those applying for the fall 1991 entering class. If you would like a copy, please send a written request to the Office of the Dean, UK College of Law, 209 Law Bldg., Lexington, Kentucky 40506-0048.



## Former Law Dean and Former Governor Receive OAK Awards

Former UK College of Law Dean Elvis J. Stahr, Jr. and former Governor Bert T. Combs, a College of Law alumnus, were presented 1989-90 Outstanding Alumnus of Kentucky awards by Kentucky Advocates for Higher Education. They were recognized by the group for "exhibiting a lifetime affection for their alma mater and actively supporting the institution since graduation," as well as for promoting higher education in Kentucky. Combs and Stahr were singled out for "achieving national stature and reputation in their chosen careers."

Stahr, a Fulton County native, served as dean of the College of Law from 1948 to 1956. He later served as president of both West Virginia University and Indiana University, as well as Secretary of the Army under John F. Kennedy. His father, Elvis Stahr, Sr. was a well-known Kentucky circuit judge for many years. Stahr practices law in Washington, D.C. and lives in Connecticut.

Combs, a 1937 graduate of the law school and governor of Kentucky from 1959 to 1963, is in private practice with the law firm of Wyatt, Tarrant & Combs. He successfully argued before the Kentucky Supreme Court that Kentucky's system was unconstitutional because it discriminated against children in poorer districts of the state. The case culminated in a Supreme Court directive to improve the school system, and massive changes in funding and curriculum were made by the 1990 General Assembly.

Kentucky Advocates was organized in 1985 to "bring together, in a role of advocacy, all of the constituencies of higher education in the state." Owensboro Mayor David C. Adkisson chairs the group.

## Kiwanis Club Donates Automatic Doors to College of Law Library

In response to UK's continuing campaign to make all areas of the campus wheelchair-accessible, the Kiwanis Club of Lexington, Inc., recently provided funding for the installation of automatic doors in the library of the College of Law.

Arthur Abshire, president of the Kiwanis Club of Lexington, worked with Administrator for Personnel Policy and Procedures T. Lynn Williamson to secure funding for the doors. Associate Dean Todd Eberle, in extending the law school's thanks for the gift, said, "Physical accessibility and freedom from architectural barriers is an issue often under appreciated by able-bodied persons. The Lexington Kiwanis Club is to be commended for its sensitivity to the concerns of the disabled."

Automatic doors were added to the main entrance several years ago, and a ramp was also installed in the courtroom.

## College of Law Awards Night Honors Student/Staff/Faculty Achievement

The College of Law held its annual Awards Night ceremony on Tuesday evening, April 17, 1990, in the College of Law Courtroom. Organized by Associate Dean Drusilla Bakert, many College of Law alumni attended to present scholarships and awards to current and incoming students. Scholarships to incoming College of Law students were presented as follows: The **W. L. Matthews, Jr. Fellowship** is awarded by the University of Kentucky to a UK undergraduate attending graduate school at UK as well. Dean Campbell awarded the Fellowship to Steven Armstrong of Bardstown, who graduated with a double major in history and political science. **Brown, Todd and Heyburn Scholarships** were awarded to two incoming students for 1990. This year's scholarships went to Jonathan Niemeyer from Montgomery County and Brandy Oliver of Berea. The **Richard D. Cooper Scholarship** was endowed in 1989. The 1990 recipient is Sharon Allen of Manchester. Mike Livingston '66 of Paducah has endowed a scholarship in the name of his parents. This year the **Milton M. Livingston Sr. and Alene F. Livingston Scholarship** was awarded to Thomas Bartrum of Louisville. The **James Park Sr. Scholarship** was presented this year to Ken Kenkel of Lexington. Sheila Lloyd of Lexington, who graduated from Centre College in May with a double major in English and Spanish, was awarded the **Colvin P. Rouse Centre College Scholarship**, endowed by Colvin P. Rouse '28 of Versailles. Susan S. Kennedy '85 presented the **Andrew & Kennedy Scholarship** to William "Buddy" Johnson of Georgetown. Three of the recipients of this year's **Thomas P. Bell Scholarships** were presented at Awards Night: Gail Pyle and Ronald Broudy, both of Lexington, and Jim Baechtold from Richmond. The 1990 **South Central Bell Telephone Scholarship** was given to Clifton Clark of London. The 1990 **Stites & Harbison Scholarship** was presented to Leland Howard of Lexington. The **Stoll, Keenon & Park Scholarship** was presented to Jeff Hoehler of Louisville.

College of Law staff and faculty awards were also made. Dean Campbell presented the **Nancy M. Lewis Awards** for outstanding staff contributions to Jeff Frey, Charlene Montgomery, Joyce Saylor, Pam Turner and Associate Dean Todd Eberle. The 1990 recipient of the **Robert M. and Joanne K. Duncan Faculty Award** was Professor Carolyn Bratt.

## U.S. Supreme Court Justice Anthony M. Kennedy To Deliver 7th Mac Swinford Lecture on September 27th

The seventh Judge Mac Swinford Lecture will be delivered on Thursday evening, September 27, 1990 by U.S. Supreme Court Justice Anthony Kennedy at the Concert Hall of UK's Singletary Center for the Arts.

The Lecture has been co-sponsored biennially by the Kentucky Bar Association and the University of Kentucky College of Law since 1978. Previous lecturers in this series have included in order Archibald Cox, Harvard Law School; Honorable Robert E. Keeton, Judge of the U.S. District Court for the District of Massachusetts; Honorable William H. Rehnquist, Justice, Supreme Court of the United States; Honorable Sandra Day O'Connor, Justice, Supreme Court of the United States; Griffin Bell, Former Attorney General of the United States; and Honorable Antonin Scalia, Justice, Supreme Court of the United States.

The lecture is free of charge and open to the public.

## Project RAP Continues at the College of Law

The College of Law continues to support Project RAP (Realizing Academic Potential), a program designed to let minority students learn about different career opportunities. The program, developed by the UK Office of Minority Affairs in the fall of 1988, brings representatives of various UK colleges to a Lexington middle school on a monthly basis for presentations. Law professors, law students, practicing lawyers and judges comprised the College of Law's team.

Project RAP students had the chance to serve on a "jury" for their October, 1989 visit to the law school in a mock trial conducted by law professors and presided over by Fayette District Court Judge Gary Payne. Director of Admissions and Minority Affairs, Lyn Kennedy, who is coordinating the College of Law's RAP program, said, "Participants should feel great and several have already asked to be contacted about the program next year. With the new exposure to what lawyers do, and the prospect of a trip to Washington, D.C., it is expected that Project RAP will be even more successful next year."



# News

## 1989 Lafferty Reception Gratz Park Inn, Lexington, Kentucky



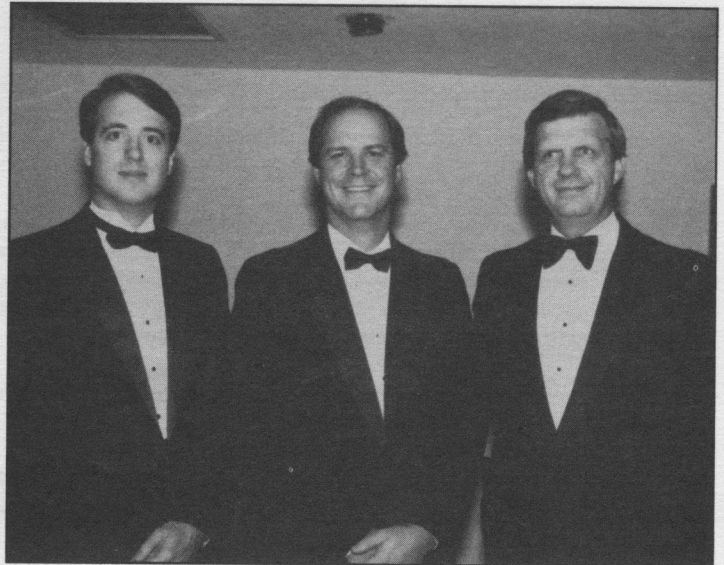
*Former Alumni Association Chair Jack '69 and Sally Reisz*



*Mary Ann and A. Franklin Berry, Jr. '69.*



*Larry Leatherman '53 and Hon. Henry Wilhoit '63 finish final arguments before Richard Vimont '60*



*John Grise '82, Tom Kerrick '80, and Joe Bill Campbell '68 ... three named partners, all named in Lafferty Society.*

The Fall 1989 Lafferty Society Reception was held at the Gratz Park Inn, Lexington, Kentucky on the evening of October 6, 1989. Upholding tradition, the reception was held immediately prior to the UK Fellows Dinner. The College of Law Lafferty Society has grown substantially over the past year. As the Ashland Oil Challenge Match enters its second of three years, the three name partners in the Bowling Green Kentucky firm of Campbell, Kerrick and Grise have offered a challenge of their own - all of the named partners in their firm are members of the law school's Lafferty Society. Our records show them to be the only law firm (with more than one named partner) where all of the name partners are Laffertys. They, and we, hope that they will not be the only firm in that category much longer. The 1990 Lafferty Society Reception and UK Fellows Dinner is scheduled for the evening of Friday, November 16th. It is not too late to become a Lafferty and join us then in Lexington!

### Annual Fund Benefits From Ashland Oil Challenge for Second Year in Row

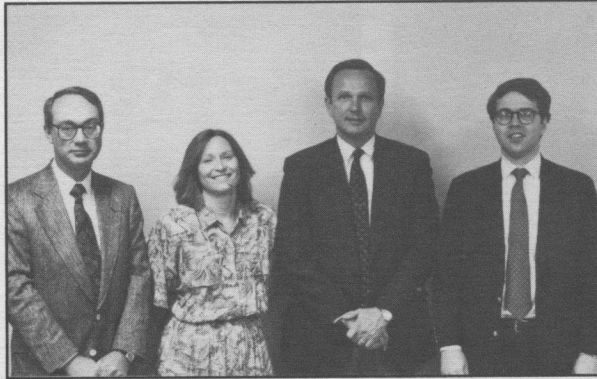
The 1990 College of Law Annual Fund Drive kicked off in June. This is the second year the Fund is being matched by the Ashland Oil Challenge Gift. The first year of the Challenge was successful. The goal of over \$100,000 in matching contributions was exceeded and Ashland Oil contributed \$50,000 in matching funds, which were used to endow a professorship at the law school. Fund contributors will need to repeat the \$100,000 match again this year for the College of Law to take full advantage of Ashland's gift. In his letter to alumni and friends, Dean Rutheford Campbell emphasized that, "Nothing is more important to law students, the law school and the University than an energetic and dedicated faculty who are committed to high quality teaching. The Ashland Oil Challenge Gift allows us to preserve and expand this law school tradition."



## Law Alumni Association Elects Officers, Plans Oct. 13 Reception and Commissions Portrait of Former Dean Lawson

### Dexter, Oliver, Lavelle & Bakert Elected

New officers of the Law Alumni Association were elected and installed by the 24 member Board of Directors at their June 13 meeting. Serving for the 1990-91 term are President William R. Dexter '82 with Holbrook, Wible, Sullivan & Helmers in Owensboro, Kentucky; Vice-President Orson Oliver '68, President, Bank of Louisville; Treasurer Charles J. Lavelle '75 with Greenebaum Doll & McDonald in Louisville; and Secretary Drusilla Vansant Bakert, Associate Dean of the College of Law.



*1990-91 Alumni Association Officers Orson Oliver '68-Vice President, Assoc. Dean Drusilla Bakert-Secretary, William Dexter '82-President, and Chaz Lavelle '75-Treasurer.*

### October 13 Homecoming Reception

Homecoming weekend is always a busy time for the Law Alumni Association and 1990 will be no exception. In addition to the fall meeting of the Association, the law graduating classes of '80, '70, '60, '50 and '40 will be hosting events for decennial reunions in Lexington. All UK law alumni are invited to join the festivities, which will begin Friday evening, October 12. The Kentucky Wildcats take on the Mississippi State Bulldogs Saturday, October 13 at 7:30 p.m. in Memorial Stadium. The Law Alumni Association will be hosting a reception for all alumni immediately prior to the game at the Campbell House Inn, 1375 Harrodsburg Road in Lexington. Keeneland Racecourse will provide thoroughbred racing over the weekend, with the Breeders Futurity on Friday, October 12 and the Keeneland Breeders Cup on Saturday, October 13. Post times are 1:00 p.m.

### Portrait of Former Dean

### Robert G. Lawson to be Unveiled at October 13 Reception

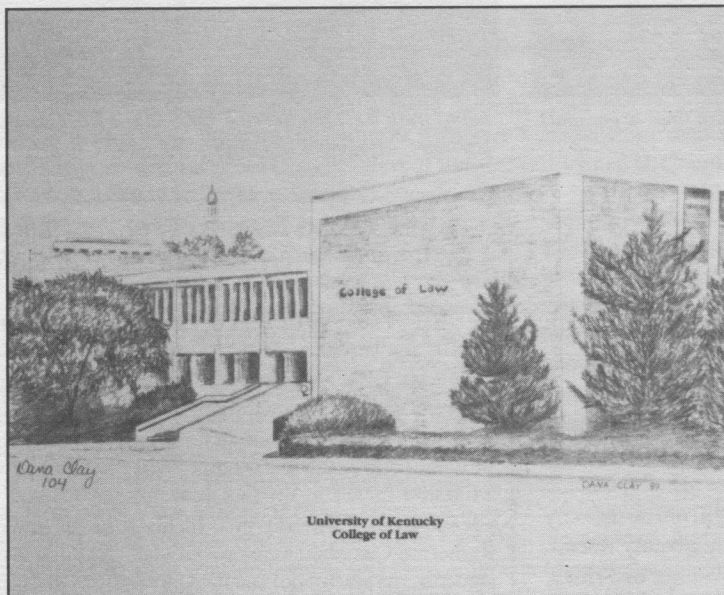
Lexington artist Patricia DeCamp has completed an oil portrait of former dean Robert G. Lawson (1982-88). This work was commissioned by the Law Alumni Association and will soon take its place among the likenesses of other former deans. Also being discussed is the possibility of restoring and reframing the pictures of all other former Deans and moving them to a more prominent location in the law building.

### Law Alumni Association Purchase Flags for Courtroom

The University of Kentucky Law Alumni Association maintains a critical role in the operations of the College of Law. This spring they purchased new flagpoles for the College of Law and put the finishing touch on a project that brought a new U.S. and new Kentucky flag to the law school's courtroom. (See front cover and page 5.)

*For more information about joining the Law Alumni Association, please write: Law Alumni Association, University of Kentucky, 261 Law Building, Lexington, Kentucky 40506-0048.*

*Pen-and-ink  
drawing of  
Law Building  
now  
available.*



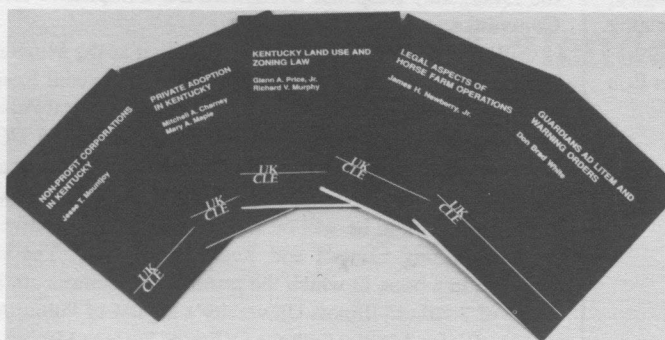
### Christian Legal Society Offering Prints of Law Building

The College of Law's Christian Legal Society recently commissioned a pen-and-ink drawing of the law building which is being made available to alumni, students and friends. The ten-by-twelve-inch numbered prints have been produced in a limited edition of 400. The price of the print to alumni and friends is \$15 per print, plus \$2 shipping and handling for mail orders. Tom Eckert of the Christian Legal Society notes that the proceeds from sales will be applied to worthwhile projects of the organization, and a law student emergency fund may be established if sufficient funds are received. The Society's projects in the past have included holiday season food drives for the hungry in co-sponsorship with the Black Law Students Association and the legal fraternities. To order a print, send a check payable to "UK Christian Legal Society" and mail to College of Law, Office of the Dean, 209 Law Bldg., Lexington, Kentucky 40506-0048.



## Alumni and Faculty Join Others to Bring Key Element to CLE Program - Quality

The Office of Continuing Legal Education has concluded another academic sequence of seminars and publications and looks back on nearly 17 years of service to the legal profession. As in past years, the efforts of faculty and alumni were instrumental in assuring the office's reputation for high quality seminar and publications. Expressing his appreciation for the generosity of UK/CLE speakers and authors, Associate Dean and Director of CLE Todd Eberle noted that "Hundreds of individuals have contributed thousands of hours toward the success of continuing legal education activities here at the University. Thanks to these people, the educational opportunities available in Kentucky are applauded at home, and across the nation." The established annual and biennial seminar offerings continue to grow in reputation. Specialized programs in areas such as real estate, employment, family, and securities law reaffirm the Office's commitment to statewide programming with 1989-90 presentations in Louisville, Bowling Green and Ashland. The 5th Annual Equine Law Seminar was presented in May and once again drew registrants from more than 30 different states and foreign countries. Syracuse University has established an equine law course in its law school curriculum which utilizes the UK/CLE materials as instructional texts.



Current titles in UK/CLE's Law Monograph Series

### Law Monographs Well Received

UK/CLE's Law Monograph Series has grown considerably in number of titles as well as popularity since its establishment in 1988. Monographs are concisely written, well researched practice guides to areas of narrower scope than Practice Handbooks. The series now features five titles:

- *Non-Profit Corporations in Kentucky*
- *Private Adoption In Kentucky*
- *Kentucky Land Use and Zoning Law*
- *Legal Aspects of Horse Farm Operations*
- *Guardians Ad Litem and Warning Orders*

Future titles will cover auto accident litigation, intellectual property, Kentucky taxation, and health care law among other areas.

### Third Series of Fall Weekend Workshops Again Combine Football and Horseracing

Another fall tradition for the Bluegrass is developing. In addition to Keeneland's Fall Meet and UK football, the law school's Fall Weekend Workshop Series offers a chance to return to the classroom to deepen your understanding or broaden your experience in various aspects of law practice.

The 1990 Weekend Workshop series includes monograph author Robert Monfort on Auto Accident Litigation, monograph author Ralph King on Intellectual Property, and a variety of authors making presentations based on their chapters in the new UK/CLE handbooks *Kentucky Estate Administration* and *Civil Practice After Trial*. The intellectual property and estate administration programs coincide with Keeneland race dates and all of the programs coincide with UK Home Football Games. Come, learn and enjoy!

## Practice Handbook Library Adds Titles and Plans More for 90-91

The UK/CLE law practice library has grown dramatically over the past year under the guidance of Assistant Director David T. Miller. Existing "Practice Handbook" titles include:

- *Basic Personal Injury Anatomy*
- *Drafting Wills and Trusts*
- *Federal Criminal Practice*
- *Kentucky Business Organizations* (2 vols.)
- *Kentucky Civil Practice Before Trial*
- *Kentucky Civil Practice At Trial*
- *Kentucky Real Estate Law and Practice* (2 vols.)
- *Kentucky Time Limitations*

Observing the high quality of these publications, Assistant Director David T. Miller states, "I have been impressed by the very generous donation of time and energy to our publications by UK alumni. As a nonprofit, self-supporting arm of the law school, we depend on volunteer authors, and they have done an outstanding job. I am continually pleased by their energy and with how well their work compares with publications from other law schools and for-profit publishers. They provide a tremendous service to the bar."

Upcoming Practice Handbooks are in progress for other areas, including new titles such as *Kentucky Estate Administration*, *Kentucky Civil Practice After Trial*, *Kentucky Partnership Law*, and *Kentucky Workers' Compensation Law and Practice*.

The Office's five person staff works around the year to produce the highest quality continuing legal education services possible, as well as to provide the law school with support services in the various aspects of its operation. No tax dollars are involved in the CLE Offices' budget and it continues to operate as a self supporting program from seminar tuitions and publication sales. Your patronage helps us survive.

For information regarding UK/CLE seminars, publications or other services please write or call:

UK/CLE  
University of Kentucky College of Law  
260 Law Building  
Lexington, Kentucky 40506-0048  
(606) 257-2921

### UK/CLE Publications Available at Joseph-Beth Booksellers in Lexington

The popular Practice Handbook titles produced by the University of Kentucky College of Law are now available for purchase exclusively in Lexington at **Joseph-Beth Booksellers**, Lexington Green Shopping Center, 3199 Nicholasville Road. They are open seven days a week.

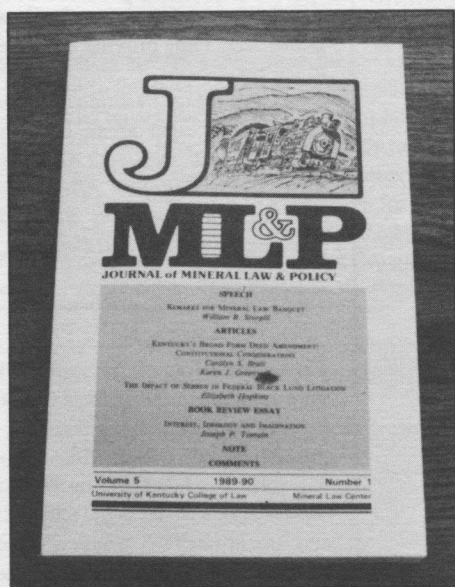


# Mineral Law Center

## UK Mineral Law Center Presents Symposium on Valid Existing Rights

The University of Kentucky College of Law's Mineral Law Center recently completed a Valid Existing Rights Symposium in cooperation with the U.S. Department of the Interior's Office of Surface Mining Reclamation and Enforcement and the American Bar Association's Natural Resources, Energy and Environmental Law Section, Coal Committee. A balanced group of panelists, including law faculty, judges, and practitioners from the state, industry, and environmental communities delivered papers which are to be published in a special Symposium Issue of the *Journal of Mineral Law and Policy*.

Two hundred registrants attended the two day program, held at the Department of the Interior in Washington D.C. Interior Secretary Lujan, a member of Congress at the time of SMCRA's passage, welcomed the group. Office of Surface Mining Director Harry Snyder and Interior Deputy Solicitor Don Vish attended the programs and welcomed input from the interests assembled. Professor Carolyn S. Bratt of the College of Law and Lexington practitioner Dean Hunt were among those presenting papers. The sessions were moderated by Professor Short and Blair Bremberg of the Mineral Law Center as well as San Francisco practitioner Bob Uram.



## Journal of Mineral Law & Policy

The *Journal of Mineral Law & Policy*, with Professor Short serving as Editor in Chief, continues to grow in national stature. During the 1989-90 academic year it published two regular issues as well as a special Valid Existing Rights Symposium Issue. The symposium issue will examine important legal, political and professional problems associated with such rights (which remains one of the most important issues facing the Office of Surface Mining and the coal mining industry itself). It is contemplated that final resolution of these problems will rely heavily upon the symposium, which is intended to help resolve the long standing controversies.

The Mineral Law Center intends to continue publishing an annual symposium issue on topics of contemporary interest, and has tentatively decided to present a symposium on oil spills this coming academic year.

## Teaching and Community Service

Professor David C. Short taught the Environmental Law course for the College of Law during the Spring Semester, 1990 and will do so again this fall. Interest in his Environmental Law course has continued to grow, with 53 students taking the course this spring. Professor Short continues to maintain his interest in the Coal Mining Law course which he has offered several times in recent years, and may be offered again in the future.

Professor Short is serving as Vice Chair of the Natural Resources Committee of the ABA Section of Administrative Law and Regulatory Practice. He also continues as Chair of the ABA Natural Resources, Energy and Environmental Law Section, Coal Committee, and is a member of the Executive Committee and Board of Trustees of the Eastern Mineral Law Foundation, where he serves as Chair of their Scholarship Committee.

Governor Wilkinson appointed Professor Short to the Kentucky Emergency Response Commission in June, 1989. He is also a member of the Emergency Response Commission's Compliance and Legal Affairs Committee.

Blair P. Bremberg is in his second year as the Mineral Law Center's Legal Research Associate. His article on "Financial Responsibility Requirements and the Implementation of Environmental Policy: The Case of the Uranium Mill Tailings Radiation Control Act," 8 *UCLA Journal of Environmental Law and Policy* 171 (1989) has gained national recognition. Mr. Bremberg has agreed to author chapters for two forthcoming publications. First, he will be writing on the "Legislative History of the Surface Mining Control and Reclamation Act." The chapter will be included in a book in which the principal co-authors are Professor Uday Desai of Southern Illinois University's Master of Public Affairs Program and Dr. Richard Miller with the Office of Surface Mining. Bremberg will be writing on the Water Law of Kentucky for the revised edition of the popular multi-volume treatise, Clark, *Waters and Water Rights*. He will soon be finishing an article for the UK *Journal of Mineral Law and Policy* which carries the working title: "Second Generation Informal Rulemaking Practices of the Office of Surface Mining: Have Outreach Activities and Rule Litigation Settlements Compromised Public Notice Values?"

## Seminars

The Mineral Law Center continues to offer two annual seminars, a fall Mineral Law Seminar, and a spring Environmental Law Seminar. Both have drawn record attendance in recent years. The Spring 1990 Environmental Law program featured a number of presentations on issues arising from the federal Comprehensive Environmental Response Compensation and Liability Act (CERCLA) in Kentucky.

For information regarding Mineral Law Center seminars, publications or other services please write or call:

Mineral Law Center  
University of Kentucky College of Law  
25 Law Building  
Lexington, Kentucky 40506-0048  
(606) 257-1161



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**University of Kentucky  
College of Law  
Fall 1990  
Calendar**

**Pull Out Section**



# University of Kentucky

## Fall

### September

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
						1 Home Football UK v. Central Michigan
2	3 Labor Day	4	5	6	7	8 Football UK at Rutgers
9	10	11	12	13	14	15 Auto Accident Litigation Home Football UK v. Indiana
16	17	18	19 Rosh Hashana (sundown)	20 Rosh Hashana	21	22 Football UK at North Carolina
23 30	24	25	26	27 Swinford Lecture 7:00 Sup.Ct.Justice Anthony Kennedy	28	29

### October

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1	2	3	4	5 Kentucky Estate Administration	6 Football UK at Ole Miss Keeneland Opens Spinster Stakes
7	8	9	10	11 Keeneland Alcibiades Stakes	12 UK/CLE's 17th Anniversary Keeneland Breeder's Futurity	13 HOME COMING - Reunions - Alumni Reception - Keeneland Breeders Cup Intellectual Property Home Football UK v. Miss. State
14	15 Columbus Day Observed	16	17	18	19 Keeneland Fayette Handicap	20 Football UK at LSU Keeneland Queen Elizabeth II Challenge Cup
21	22	23	24	25 College of Law Visiting Committee 25-27	26 15th Annual Mineral Law Seminar	27 Home Football UK v. Georgia
28	29	30	31 Halloween			Keeneland Phoenix Handicap



= UK/CLE Fall Workshop Series

For additional information about UK/CLE seminars please call (606) 257-2921.  
Except as shown, all seminars will be held at the UK College of Law.



# College of Law Calendar

## 1990

### November

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1	2	3 UK Law Minority Recruitment Conference
4	5	6 Election Day	7	8 Workers' Compensation Heritage Hall Lexington	9 Estate Planning (satellite)	10 Home Football UK v. Vandy
11 Veterans Day	12	13	14	15	16 Lafferty Society Reception & UK Fellows Dinner	17 Civil Practice After Trial Home Football UK v. Florida
18	19	20	21	22 Thanksgiving	23	24 Football UK at Tennessee Home Basketball UK v. Penn.
25	26	27	28 Basketball UK at Cincinnati	29 End of Fall Semester Classes - Law	30	

### December

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
						1 Basketball Big Four Classic Indianapolis
2	3	4	5	6	7 Kentucky Tax Law	8 Home Basketball UK v. Kansas
9	10 Basketball UK at North Carolina	11 Hanukkah (sundown)	12 Hanukkah	13	14 End of Fall Semester - Law -	15 Home Basketball UK v. UT Chattanooga
16	17	18 Basketball UK at Indiana	19	20	21 Winter Solstice Basketball UK v. WKU in Louisville	22
23 30	24 31 New Year's Eve	25 Christmas	26	27 Home Basketball UK v. Eastern Ky	28	29 Basketball UK v. Louisville

For information on other College of Law events call (606) 257-1678.



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**University of Kentucky  
College of Law  
Fall 1990  
Calendar**

**Pull Out Section**



# Students

## Student Applications and Enrollments Reflect Trends

Nationwide the number of applicants to law schools is up 7.2 percent over last year. Those applicants have in turn generated an 11.3 percent increase in total applications. Therefore, not only are more people applying to law school, but they are applying to more law schools. The average number of law schools to which each applicant applied averaged 4.7 in March 1990, compared to 4.5 in March of last year. The percentage of women and minority applicants have both shown increases, but perhaps the most significant statistic evidences the trend toward older students returning to school after a brief stint in the workforce. The 1990 applicants in the 26-30 year-old range has increased more than 12 percent over last year.

### Things to Come

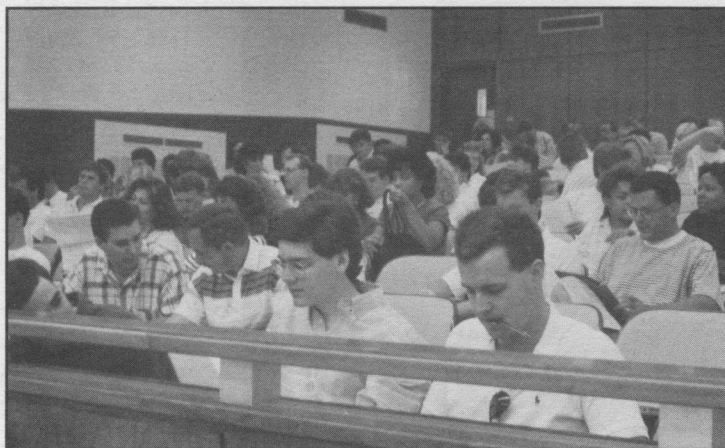
At the same time law schools are feeling the effect of higher application numbers, there has been a 3.3 percent decrease in registrations to take the Law School Admission Test (LSAT). Craig Christensen, former President of Law School Admission Services, notes that "The testing numbers are our most important indicator of future volume. We're seeing a downturn in testing that has not yet been translated into fewer law school applicants. Next year should see that translation."

Despite a 4.5 percent increase in the number of female law school applicants over last year, actual female enrollment has dropped slightly as a percentage of the entering class of law school students. This is the first time that the percentage of women actually enrolling has dropped since the 1969-70 academic year. It may be premature to interpret this change in gender statistics as a trend, but women lost ground slightly as a percentage of the freshman class dropping to 42.7 percentage from the previous year's 42.9 percent. Kathleen Grove, Assistant ABA Consultant on Legal Education notes, "This may be an aberration in the statistics. We won't know until we see next year's figures whether a trend is developing."

### UK Law Class of 1993 Begins to Take Shape

The College of Law's fall 1990 entering class is characterized by another year of record credentials and diversity among its members. Director of Admissions and Student Affairs, Carolyn M. Kennedy noted that an unprecedented number of applications for fall enrollment had been received by March of this year. With entering class size remaining constant, the quality and diversity of average entering students are likely to be even better than in previous years. The College of Law received a record total number of applications for Fall 1990, 1,026.

Efforts to attract minority applicants to the College of Law have continued to expand. The University of Kentucky College of Law Minority Student Visitation Conference was held on Saturday, February 3, 1990 with over 40 interested potential law students attending. The Conference has been held annually for several years. Its popularity has steadily increased with both Kentucky and out-of-state attendees. The Conference introduces those interested both inside and outside of Kentucky. The Conference introduces those interested in law school to current UK law students, faculty, and administrators as well as to minority law graduates now engaged in a variety of practice settings. A special session is also held to offer advice and demonstrate various aspects of the Law School Admission Test (LSAT).



*UK law students at first year orientation.*

## 1990 Graduation

One hundred and forty-five UK law students became UK law graduates on Saturday morning, May 5, 1990. Commencement Exercises took place at the Otis A. Singletary Center for the Arts on the Lexington Main Campus. Dean Rutheford B Campbell presided over the procession of graduates. Shawn Ray Johnson of South Williamson, Kentucky delivered the address on behalf of the students; Sheryl G. Snyder of Louisville delivered the address on behalf of the bar, and former Dean Robert G. Lawson spoke on behalf of the faculty. Graduating senior Robert Rodriguez of Lexington was selected by the law faculty to receive the 1990 Faculty Cup Award.

## UK Law Students Capture Awards, Honors, Fellowships and Scholarships

Susan Beverly Jones '90 of Louisville, Kentucky received the first place award from the University of Kentucky in the Nathan Burkan Memorial Competition sponsored by the American Society of Composers, Authors and Publishers (ASCAP). The title of her paper was "Copyright Protection for Architectural Works Demanded by both the Berne Convention and the United States Copyright Philosophy." She now proceeds to national competition.

Christine F. Ryan '92 and Timothy L. Wells '91 have each been awarded \$1,000 Scholarship Awards from the Eastern Mineral Law Foundation's 1990 Scholarship Competition. This year EMLF granted a total of four scholarships. The awards are intended to support the pursuit of mineral law scholarship and may only be used at EMLF member schools. Timothy L. Wells has also been selected to receive the Institute for Mining and Minerals Research's Mineral Law Fellowship for 1991.

W. Brian Hudson '90 has been awarded third place in the Eastern Mineral Law Foundation's Legal Writing Competition and will receive a \$500 award. He was chosen third from entries received from other EMLF Law School Members. Mr. Hudson will also receive an additional \$100 for submitting the best of four papers submitted by students from the University of Kentucky.

## Trustees Approve New Fee for Law Applicants

Beginning with applications for the fall 1991 semester, students seeking admission to the College of Law will face a one-time \$25 fee. The University's Board of Trustees approved the fee in March. The fee will help pay the increased costs of processing applicants, according to UK officials. It is also intended to discourage casual applications, which have increased in recent years.



# In Memoriam: Professor John E. Kennedy 8/20/34 - 9/21/89

## REMEMBRANCES



John E. Kennedy (LL.B. '59 Notre Dame, LL.M. '64 Yale, J.S.D. '70 Yale) joined the College of Law faculty in 1964, the school's last year at Lafferty Hall. In total, John spent only five of his subsequent twenty-five years of service as a law teacher and scholar on the premises of the University of Kentucky College of Law. (He was on leave visiting first at the University of Illinois and later at Southern Methodist University for three of his eight years as a member of the U.K. faculty.) But

these were the particularly important formative years; they were formative not only for John, but also for the College of Law which, in his second year of teaching, moved to the present building and soon underwent an approximate doubling of student body and faculty size and an expansion of the upper level curriculum. Moreover, these were years of turmoil and change—the civil rights movement took hold on campus and in the community, renewed attention was focused upon the plight of the poor, Lexington struggled to control potentially chaotic urban growth, and the nation attempted to understand the moral, legal and political responsibilities of the U.S. role in the Vietnam War.

The political issues of the day and the problems inherent in the transition from a small to medium size school all generated individual and institutional tensions and conflicts for the law faculty. In the resulting tests of personal attributes, John Kennedy emerged as involved, thoughtful, mature, good humored and understanding. As a result, some will remember John for his occasional intervention as a mediator—he was liked and respected by all the parties and his sincere concern and convictions did not alter his ability to be civil and help others find guidance through reason.

Hundreds of UK law graduates will remember John Kennedy as a teacher whose dedication to excellence gained the immediate appreciation and affection of his students. Colleagues soon learned that they could tell by the persistent pattern of laughter that John was holding forth in a classroom. His teaching was challenging, stimulating, and innovative. He developed a civil procedure game that reduced drudgery while enabling students to master the details and nuances of the subject. Rarely did he return to his office less than ten to fifteen minutes after the end of a class hour. There were too many students lingering with questions, comments or just a desire to not miss out on anything additional Professor Kennedy might say.

Students, colleagues, and Kentucky friends will remember John as well for his warmth, wit, good looks and charm. His infectious zest for joy and laughter made him a popular figure at student organized social functions. Coupled with Janet Kennedy's beauty and sparkling sense of humor, the Kennedys brought life to any party—even faculty events. Additionally, the Kennedy home on Cooper Drive played its special role in those years. It was a sanctuary for faculty bachelors and a place where younger law

professors and their families often gathered on cold winter weekends to unchill the bones with Janet's brew of spiked Constant Comment.

Law teachers in every corner of the nation will remember John Kennedy not only as a respected scholar but also as someone who gave frequent valued service to the institutions of higher education. He served on several committees of the Association of American Law Schools as well as on key committees of his own university. And, his continued affection for the UK College of Law was reflected in his participation, in the mid-1980s, on the law school's Advisory Committee.

While John will be warmly remembered throughout the lives of his wife, his children, his friends and his students, John's scholarly achievements will endure even longer. During the eight years John Kennedy was affiliated with the College of Law he published eight law journal articles, a mark of his dedication to scholarship. In addition, he became a reviser for Professor Moore's prestigious multi-volume treatise on Federal Practice. John's frequent contributions to law scholarship continued in his years at Southern Methodist University and gained him national recognition in the field of civil procedure. No doubt, he was best known for his influential work in the area of class actions, a subject whose philosophic, political, historic, jurisprudential, and practical complexities John explored in great depth.

When we remember John Kennedy, we will always picture him in that pose that epitomized his character. There is a twinkle in his eyes, a soft chuckle interrupting his flow of speech and an almost childlike look of delighted amusement at the anecdote he is recounting. He could derive a tremendous intensity of concentrated joy in a clever statement he had just read, a student's perceptive response, a colleague's accomplishment (or foible), or in watching his (or others') children discover their abilities or limitations, or in observing Dogas, the Kennedy terrier, pretend that a stick was a conquered prey.

On September 21, 1989, Professor John E. Kennedy ended a long, painful illness in the manner characteristic of that illness—major depression. Some may think it inappropriate to include that fact in this Remembrance. But for those of us who loved and admired John it is essential that we remember why he ended his life. Depression is a disease. Physicians have found cures and controls for many sufferers. Tragically, John's illness was unresponsive. We can memorialize John's life, his contributions as a teacher, as a scholar, as a colleague, and as a friend by supporting research for better ways to combat depression.

Farewell, John, you will always be with us.

Alvin L. Goldman, Professor of Law

During a memorial service in Dallas last September, the Southern Methodist University chaplain said that he could not tell John Kennedy's many friends exactly how to mourn his death. But he added, "I can and will encourage you to tell each other the stories of John's meaning in your lives." By doing so, he indicated, we could celebrate John's life as well as help ourselves and others find some comfort for our grief.

I want to follow the Reverend William Fannin's advice in this tribute to John Kennedy. Like many of his former law students, I know that John—as teacher, faculty advisor, mentor, and friend—had a significant influence on my life.

To start at the beginning, after all these years when I recall law school, my most vivid memory is not of a "Paper Chase" style Professor Kingsfield but of a real life John Kennedy. My impression of John began with my very first class at the College of Law—coincidentally, Contracts—which also was his very first class as a law professor, after having recently obtained an LL.M. Given my already strong Republican orientation in the fall of 1964, I naturally entered the hall a few minutes before 8:00 a.m. with a predisposed skepticism toward this handsome, articulate, boyish-looking law professor named John Kennedy. However, that morning he quickly won me over, and my admiration for the man grew steadily the more I came to know him.

I consider myself quite fortunate to have had John Kennedy at UK law school for all three of my years there. In addition to his teaching my



## In Memoriam: Professor John E. Kennedy 8/20/34 - 9/21/89

Contracts course throughout my first year and Federal Procedure throughout my second, he was Faculty Editor of the Kentucky Law Journal during my third year, when I was Editor-in-Chief.

Students found his classes stimulating and valuable because he was always prepared, current, and enthusiastic. It was obvious he had worked hard getting ready for class; because of his excitement about learning, he never just went through the motions. "Cans" or "hand-me-down" outlines were never adequate substitutes for the exercises in analysis and content presented in John's courses. Notwithstanding his obvious adherence to a strong work ethic and his emphasis on academic excellence, I was always impressed with the absence of any intellectual arrogance. With John, there was no guile or pretension; you got what you saw--a bright, sincere, refreshing person.

The significance of John Kennedy for me was such that, for almost the last year and a half of my law school days, with the exception of my wife, he was possibly the most important person in my life. We spent countless hours together during this period, generally working on law journal affairs, but often talking about a broad range of matters. Day or night, John was always there for me then--to enlighten, to challenge, to guide, to encourage, or in some other important way to help a student-editor frequently overwhelmed with the substantive and administrative dimensions of directing thirty law students in publishing a scholarly legal journal. Particularly meaningful to me at that time was his attitude in being there and providing counsel, despite his teaching obligations and his own creative involvement in numerous areas, he always made me feel that he was available to help with my responsibilities.

He was readily accessible to students generally, whether about course work or personal problems; as a result, we appreciated him that much more. John was never too preoccupied with his own research, writing, and professional activities to neglect his fundamental duty as an educator. These attributes are what made John Kennedy an exceptional teacher, certainly one who stands out at the top level in my own educational experiences. And all this time--in and out of class, with the Journal and elsewhere--there was always that John Kennedy vibrancy, spirit, and genuine good will.

With the Journal, I witnessed John's effectiveness as Faculty Editor in motivating the editorial board and staff. He stimulated us to use our Journal involvement to significantly sharpen our abilities in legal research, analysis, and writing while at the same time striving to produce a quality publication.

Throughout my formative student and young adult years, I was fortunate to have had a series of particularly helpful mentors. Although this group consisted primarily of political and government leaders, I have always considered John Kennedy to be among the individuals having a lasting positive effect on my life and serving as a role model. I saw in him a true caring for others that was reflected in various important ways on a personal level in relationships with students, on a professional level in emphasis on high character standards, and on a public level in concern about the workings of the law in the community.

Having said something about what John Kennedy's life meant to me, I would conclude with a few comments about the meaning of his death. Given the tragic circumstances, John's death has had a profound effect on me. I still find myself emotionally moved whenever he comes into my mind, and that has been often.

I regret that I did not see more of John Kennedy the last fifteen or so years of his life. I regret that I did not know until after his death about his serious illness and the pain it caused him for so long. To me, his death clearly underscores once again the importance of spending time with friends while one can.

Since his death, Jan Kennedy has said, "Thank God he left me with three wonderful children and enough love and good memories to last a lifetime." John Kennedy also left large numbers of former students with good memories. As much as I have always admired his scholarly talents and professional achievements, John's meaning in my life remains primarily derived from his strengths as a teacher as well as his special personal qualities. I know I speak for many of his students when I say that we hope the Kennedy family continues to find comfort in knowing that John touched

many, many lives in a unique way, and that he will be remembered by us with great respect, deep appreciation, and warm affection.

Fred G. Karem '67

Others who write to honor John Kennedy will convey his characteristics and accomplishments. My comments will be limited to a single encounter that I had with John Kennedy in the spring of 1969, when he was a young faculty member at the law school, and I was a third year student.

In 1969, my senior year at the law school, I received an offer to practice law with a huge, old-line, Wall Street law firm. That offer generated many of the normal reactions that one would imagine. I was flattered and proud to receive such an offer. At the same time, I was a little scared to think about joining a firm with nearly as many lawyers as the entire population of my home town.

Other, perhaps less typical factors were also important in considering that offer. It is the grossest of understatements to say that I had not anticipated practicing on Wall Street. Instead, I had always intended to return to Eastern Kentucky to practice in a small town.

And, of course, there were the times. The late 1960's was a difficult period for students. Martin Luther King and Robert Kennedy were both assassinated. The Vietnam War, which was raging, created moral and personal dilemmas for many of us, especially those with unfulfilled military obligations. The establishment was under siege, and many thought there was a legitimate basis for the assault.

Given those kinds of times and my rural, Eastern Kentucky background, an offer to join a Wall Street firm was difficult to deal with. Certainly, I believed in (and still do) the capitalistic system, its freedom and opportunities, and was (and am) convinced that it generates levels of production that are unmatched by any other economic system. Still, there was this gnawing apprehension. Should I take such an "establishment" job?

It was about that time that I had to see John Kennedy concerning a problem on the Kentucky Law Journal (John was our faculty advisor). When we finished, he asked about my plans for the next year. I told him about my offer and, without much explanation, told John that I was not at all sure I would accept it.

At that point, John, whom I really did not know all that well and who had something of a deserved reputation for shyness, conveyed to me in clear terms that I should go to Wall Street. I listened while he went through the normal reasons for accepting the offer. I then opened up to John just a bit, hinting in an oblique fashion about some of my thoughts, thoughts that were so very personal and so much a product of the times and my background.

Immediately, John knew what the real issues were, but he stood his ground while shifting his argument. "What you should really do," he said, "is go to Wall Street for a few years and then go work with the vineyard workers in California." I told him I probably did not need the later experience since I had grown up in Eastern Kentucky during the 1950's and 1960's. He smiled, and he understood what I was saying. I also understood what he meant.

This brief encounter with John Kennedy twenty years ago obviously was important to me. John believed in and conveyed to me the idea that rich and diverse life experiences are essential to all of us. We must not allow ourselves to live in narrow worlds where we see only people with the same views, achievements, and aspirations as ours. John also believed and, of course, was telling me that one is not required to shed one's own moral and political views or one's own life experiences when entering new worlds. Indeed, at such times it is even more important to retain one's own values.

These were essential notions to my dealing with what was going on in 1969. Obviously, the validity of these ideas has not diminished with time.

Years later when we became better friends, I asked John if he remembered that conversation. He said he did not, but then he laughed and added, "It sounds like something I would say."

Rutheford B Campbell '69



# Faculty

**Richard C. Ausness**, professor of law. APPOINTMENTS: Wendell H. Ford professor of law.

**Drusilla Vansant Bakert**, associate dean, APPOINTMENTS: Chair, Southeastern Law Placement Consortium. PUBLICATIONS: "Successful Lawyer Recruiting," Fayette County Bar Association *Bar News*, March-April 1990. PRESENTATIONS: Co-presenter, "LMNOP's For Recruitment Coordinators with 2-5 Years of Experience," National Association for Law Placement (NALP) Southeast Regional Meeting, January 27, 1990, Charleston, South Carolina. Panelist, "Driving Forces in a Changing Profession," moderated by Geoffrey C. Hazard, Jr., Sterling Professor of Law, Yale University, NALP Annual Conference, April 5, 1990, Chicago, Illinois. Program coordinator, "Structuring Your Program for First Year Students," NALP Annual Conference, April 7, 1990, Chicago, Illinois.

**Carolyn S. Bratt**, W.L. Matthews Jr. professor of law. ELECTIONS: Elected Chair of the University of Kentucky Senate Council on May 16, 1990. The Senate Council is the faculty governance body. Elected to a three year term as the faculty trustee on the University of Kentucky's Board of Trustees, July 1, 1990. Elected to represent the faculty of the University of Kentucky on the Presidential Search Committee. APPOINTMENTS: W. L. Matthews Professorship for 1990-91 academic year. PUBLICATIONS: Co-authored with Greenwell "Kentucky's Broad Form Deed Amendment: Constitutional Considerations," 5 *Journal of Mineral Law & Policy* 9, 1990. "What's In A Name? An Essay on Valid Existing Rights," 6 *Journal of Mineral Law & Policy* (forthcoming 1990). "Basic Principles of Real Property Law," chapter in *Kentucky Real Estate Law and Practice*, Ch. 2, (UK/CLE 1990). PRESENTATIONS: "Reflections on the Constitutionality of Kentucky's Broad Form Deed Amendment," Fourteenth Annual Mineral Law Seminar, October, 1989. Sponsored by the Mineral Law Center, University of Kentucky. "VER - What's In a Name?" Symposium on Valid Existing Rights in Washington, D.C., Sponsored by the Mineral Law Center in Cooperation with the U.S. Department of the Interior. (April 1990). "Title VII Update - The Impact of Recent U.S. Supreme Court Decisions," Employment Law Seminar, April and June, 1990. UK Continuing Legal Education. "Ruminations on A Right of Privacy," Annual Meeting of Tennessee Lawyer's Association, Knoxville, Tennessee (June 1990). AWARDS: 1990 Duncan Award for Outstanding Teaching at University of Kentucky College of Law.

**Rutheford B Campbell**, dean. PUBLICATIONS: Two articles reproduced in the new edition of *Selected Articles of Federal Securities Law*, published by the ABA Committee on Federal Regulation of Securities: Campbell, "The Plight of Small Issuers (and Others) Under Regulation D: Those Nagging Problems that Need Attention," 74 *Ky. L. J.* 127 (1985-86). Campbell, "Rule 145: Mergers, Acquisitions and Recapitalizations Under the Securities Act of 1933," 56 *Fordham L. Rev.* 277 (1987).

**Todd B. Eberle**, associate dean and director of continuing legal education. ELECTIONS: Elected Treasurer and reelected Member of Executive Committee for the Association of Continuing Legal Education Administrators (ACLEA). APPOINTMENTS: Board of Directors, Central Kentucky Legal Services, Inc. PRESENTATIONS: "The Role and Rationale of Law School Continuing Legal Education," Law School Continuing Legal Education Directors Conference, Iowa City, Iowa (December 1989). "Contemplating The Initiation of a Free-standing Publications Component In An Established Continuing Legal Education Organization," ACLEA Mid-Year Meeting, San Diego, California (February 1990). AWARDS: Nancy M. Lewis Award for Excellence, University of Kentucky College of Law. ACTIVITIES: Consultation, Georgetown University Law Center Continuing Legal Education Office, Washington, D.C. (June 1990).

**William H. Fortune**, associate dean. APPOINTMENTS: Spears-Gilbert professor of law for 1990-91 academic year.

**John H. Garvey**, Ashland Oil professor of law. ELECTIONS: Chair, Constitutional Law Section, American Association of Law Schools. APPOINTMENTS: Named University Research Professor for 1989-90 academic year by University of Kentucky. Award enabled Professor Garvey to take leave from teaching to work on several books. Named Ashland Oil Professor of Law, spring 1990. PUBLICATIONS: Garvey & Aleinikoff, *Modern Constitutional Theory* (West 1989). "A Comment on Church and State in Seventeenth and Eighteenth Century America," 8 *J. Law and Religion* \_\_\_\_ (forthcoming 1990). "Churches and the Free Exercise of Religion," 4 *Notre Dame J. of Law, Ethics & Pub. Pol.* 701 (1990). "The Powers and the Duties of Government," 26 *San Diego L. Rev.* 209 (1989).

**Alvin L. Goldman**, Dorothy Salmon professor of law. APPOINTMENTS: Editorial Advisory Committee of the *International Encyclopedia of Laws*. PUBLICATIONS: Co-authored *Legal Protection for the Individual Employee* (West 1989) (with Matthew W. Finkin, University of Illinois, and Clyde W. Summers, University of Pennsylvania). Prepared four case reports, as co-reporter for the U.S., for volume 9 of *International Labour Law Reports*. PRESENTATIONS: Paper to the Ohio-Kentucky Regional meeting of the National Academy of Arbitrators.

**M. Louise Graham**, professor of law. APPOINTMENTS: Wilbur D. Ham professor of law for 1990-91 academic year.

**Thomas P. Lewis**, professor of law. APPOINTMENTS: Brown, Todd & Heyburn professor of law for 1990-91 academic year.

**Martin J. McMahon**, Laramie L. Leatherman professor of law. ELECTIONS: Fellowship in the American College of Tax Counsel. APPOINTMENTS: Hugh Culverhouse Eminent Scholar in Taxation at the University of Florida, Holland Law Center, for the Spring Term of 1991. PUBLICATIONS: *Cases and Materials on Federal Income Taxation of Business Enterprises* (Foundation Press, forthcoming November, 1990) co-authored with Paul McDaniel, partner Hill & Barlow, Boston, Professor Hugh Ault, Boston College Law School & Professor Daniel Simmons, University of California, Davis Law School. 1990 Cumulative Supplements No. 1 and No. 2 to Bittker & McMahon, *Federal Income Taxation of Individuals* (Warren, Gorham & Lamont 1988). *Federal Income Taxation of Individuals Study Problems* and accompanying *Teachers' Manual* (Warren, Gorham & Lamont August 1990) co-authored with Professor Larry Zelenak, University of North Carolina Law School. PRESENTATIONS: "Current Issues Involving Hard Mineral Taxation," American Bar Association, Tax Section, May Meeting, Washington D.C., May 4, 1990. "Current Judicial and Administrative Income Tax Developments," American Bar Association, Tax Section, Midyear Meeting, Houston, Texas, February 3, 1990. "The Effect of Oil and Gas Joint Operating Agreements of Elections Out of Partnership Status Under Section 761," University of Kentucky College of Law, Fourteenth Annual Mineral Law Seminar, October 20, 1989. ACTIVITIES: Presented testimony before Kentucky House Appropriations and Revenue Committee on the Governor's Tax Legislation Proposals, February 16, 1990. WORK IN PROGRESS: *Fundamentals of*



# Faculty

*Federal Income Taxation*, co-authored with Professor Michael Rose, Ohio State University Law School, under contract with West Publishing Co. for manuscript delivery date in late 1991. *Cases and Materials on Federal Income Taxation of Natural Resources*, co-authored with Professor Erik Jensen, Case Western Reserve University Law School.

**John M. Rogers**, Lafferty professor of law. PRESENTATIONS: Panel participant, "The Chinese Democracy Movement of 1989," sponsored by the UK History Department and other groups, Lexington (February 1990). Panel participant, "International Law and U.S. Courts," First Annual Conference of the Amnesty International USA Legal Support Network, Cincinnati, Ohio (February 1990). Panel participant, "Extradition vs. Forcible Abduction," Annual Spring Meeting of the ABA Section on International Law and Practice, New York (April 1990). Semi-final round judge, Twelfth Annual Administration Law National Moot Court Competition, Dayton, Ohio (March 1990). Speaker, "The Demise of Joint Liability: R.I.P.?", Kentucky Bar Association Convention, Lexington (June 1990).

**Robert G. Schwemm**, W. L. Matthews, Jr. professor of law. APPOINTMENTS: W. L. Matthews, Jr. Professorship for 1990-91 academic year. PUBLICATIONS: Editor, *The Fair Housing Act After Twenty Years*, papers from Conference at Yale Law School, March 1988.

**David C. Short**, professor of law and director of the Mineral Law Center. APPOINTMENTS: Vice Chairman of the Natural Resources Committee of the ABA Section of Administrative Law and Regulatory Practice. He will serve during 1990-91 in that capacity and continue as Chairman of the ABA Natural Resources, Energy and Environmental Law Section, Coal Committee.

**Thomas J. Stipanowich**, alumni professor of law. PUBLICATIONS: "Of 'Procedural Arbitrability': The Effect of Noncompliance With Contract Claims Procedures," Symposium Issue of the South Carolina Law Review (1989). "Arbitration and the Multiparty Dispute: The Search for Workable Solutions," reprinted in ABA Forum on the Construction Industry. *Future Shock: A Survival Guide to Jobsite Regulation and Dispute Resolution in the '90s* (1990). PRESENTATIONS: "Consolidation, Counterclaims and Joinder in Arbitration," speech to the plenary session of the American Bar Association Forum on the Construction Industry, Bos-

ton, Massachusetts, May 11, 1990. "Construction and Commercial Arbitration," Arbitration Day, Louisville, Kentucky, February 15, 1990. "Dispute Resolution Alternatives," Harrison County Bar Association, Cynthiana, Kentucky, February 2, 1990. ACTIVITIES: Advisory Panel, American Bar Association Forum on the Construction Industry Task Force on Developing Alternative Procedures for Arbitration of Complex Construction Cases. Center for Public Resources Advisory Committee for CPR Construction Disputes Practice Guide. ABA Business Law Section Commercial Arbitration Committee. Construction ADR Survey Committee. Kentucky Bar Association Alternative Dispute Resolution Committee. Chairman, University of Kentucky Appeals Board. WORK IN PROGRESS: *Commercial Arbitration and the Federal Arbitration Act* (with Ian R. MacNeil and Richard Speidel of Northwestern University) (Little Brown & Co) (anticipated publication in 1991).

**Harold R. Weinberg**, Cherry professor of law. APPOINTMENTS: Appointed to chair a committee in the Uniform Commercial Code Article 9 Study Project established by the Permanent Editorial Board for the Uniform Commercial Code. The committee will consider the scope of Article Nine. ACTIVITIES: Spring Meetings of ABA Business Law Section's Uniform Commercial Code and Technology and Intellectual Property Committees. Boston, Massachusetts (April 1990). ABA Intellectual Property Financing Task Force. WORK IN PROGRESS: "Easing Transfer and Security Interest Transactions in Intellectual Property: An Agenda for Reform" (with William J. Woodward of the Temple University School of Law).

**Sarah N. Welling**, professor of law. ELECTIONS: Elected Secretary of the Criminal Justice Section of the Association of American Law Schools. APPOINTMENTS: Drug-Related Financial Crimes Policy Group, a federal advisory board on money laundering set up by the Office of National Drug Control Policy. Secretary, AALS Criminal Justice Section. Editorial Board of Advisors, Money Laundering Alert. Money Laundering Subcommittee of ABA White Collar Crime Committee. PUBLICATIONS: "Smurfs, Money Laundering, and the Federal Criminal Law: The Crime of Structuring Transactions," 41 *Fla. L. Rev.* 287 (1987). "The Fourth Amendment and Third Party Consent to Home Entry," *Preview of Supreme Court Cases*, (ABA Public Education Division, June 1990). "Campus Administrators, Meet the Criminal Law" (review of Smith, *Coping With Crime on Campus*), 34 *Contemporary Psychology* 1139 (1989); various articles in Money Laundering Alert, a

monthly newsletter (November, December 1989; January, March, April, May 1990). PRESENTATIONS: 'Seizing Lawyers' Fees: A Roundtable Discussion" at Washington University School of Law, March 22, 1990. ACTIVITIES: Attended Money Laundering Enforcement: Legal and Practical Developments, conference sponsored by ABA and American Bankers Association, October 1989. Attended ABA White Collar Crime Institute, March 1990. WORK IN PROGRESS: "The Bank Secrecy Act," in *A Practical Manual for Financial Institutions*, written by ABA Money Laundering Subcommittee, to be published by ABA.

**Frederick W. Whiteside**, professor of law emeritus. APPOINTMENTS: Chair and Public Representative for Consumer Claims Settlement Commission in current Chapter 11 reorganization of Season Sash, Inc. PUBLICATIONS: "The Durable Power of Attorney," 55-*PLUS*, bi-monthly newspaper for senior citizens.

**Donald A. Winslow**, associate professor of law. APPOINTMENTS: Associate Professor of Law, College of Law, University of Kentucky, July 1990. Visiting Associate Professor of Law, Cornell Law School, 1990-1991. PUBLICATIONS: "A Model for Determining the Excessive Trading Element in Churning Claims," 68 *North Carolina Law Review* 327 (1990) (With Seth C. Anderson) was selected by Professor Marc I. Steinberg of Southern Methodist University to be reprinted in Securities Regulation Highlights--1990 (Garland Law Publishing) and was listed in the "Worth Reading" bibliography of the *National Law Journal*, April 16, 1990. "Tax Avoidance and the Definition of Insurance: The Continuing Examination of Captive Insurance Companies," 40 *Case Western Reserve Law Review* 79 (1989) appeared in print in April and has been recommended in the "Worth Reading" portion of the *National Law Journal* of June 25, 1990 as well as been selected by WESTLAW for its database. ACTIVITIES: Member, Committee on Corporate Tax, ABA Section of Taxation. Faculty Advisor, *Kentucky Law Journal*. Chair, Publications Committee, charged with redrafting the Bulletin for the College of Law. WORK IN PROGRESS: Three law review articles tentatively entitled: "Tax



# Class Actions

1944

**Honorable Scott Reed**, U.S. District Court Judge for the Eastern District of Kentucky has retired from the bench. Originally appointed in 1979, he went on senior status in 1988 for medical reasons.

1948

**Harry Caudill**, Whitesburg, Kentucky was the subject of an extended article in the April 29, 1990 Lexington Herald Leader entitled "Voice of the Mountains." The article reviewed his lifetime dedication to the problems of Eastern Kentucky and noted the current work on his 11th book, a history of Kentucky in which he analyzes the forces that have shaped the state.

**Robert H. Helton, Jr.** former Kentucky Circuit Court Judge has been named senior counselor with the firm of Lewis, Scoville, Scoville, Cessna and Crawford with offices in London and Corbin, Kentucky.

**Thomas A. Mitchell** has joined with **Richard Joiner '75** and **Randall Hardesty '84** to form the Madisonville, Kentucky law firm of Mitchell Joiner & Hardesty.

1959

**Kent Hollingsworth** has received the Walter Haight Award given by the National Turf Writers Association for outstanding achievement in turf writing.

1960

**Dulaney Lee O'Roark, Jr.** recently retired from his post as Judge Advocate of the U.S. Army Europe and has accepted the position of Executive Vice President of Lawyers Mutual Insurance Company of Kentucky.

1965

**Honorable John M. Coy** Richmond, has been appointed District Court Judge for the 25th Judicial District of Kentucky.

**E. Frederick Zopp** recently delivered the speech for the Annual Meeting of the United Nations Association, Kentucky Division. It was entitled "German Unification: An Update."

1966

**Donald L. Stepner** of Adams, Brooking, Stepner, Woltermann & Dusing in Covington, Kentucky has been elected to the Board of Governors of the Kentucky Bar Association.

1967

**David L. Yewell** of Rummage, Kamuf, Yewell, Pace and Condon in Owensboro, Kentucky has been elected President of the Kentucky Bar Association.

1968

**Joe B. Campbell** of Campbell, Kerrick & Grise in Bowling Green, Kentucky has been elected Vice President of the Kentucky Bar Association. He has also been appointed as Chair of the Kentucky Council on Higher Education by Governor Wallace Wilkinson.

**C. David Emerson** has joined with **Bennett Bayer '82** to form the Lexington law firm of Emerson & Bayer.

1969

**C. Edward Glasscock** has been elected vice-chair of the Japan/America Society of Kentucky.

**William S. Howard** has been appointed as a U.S. Bankruptcy Judge for the Eastern District of Kentucky.

**Paul L. Lamb** has been elected President of the 2,500 member Suffolk County Bar Association located in Commack, New York. He was instrumental in the creation of the Suffolk County Bar Pro Bono Foundation and served as its first Managing Director. Lamb is also a member of the New York State Bar Association's House of Delegates and serves on the Executive Council of the New York Conference of Bar Leaders.

**John P. Reisz** has joined the Louisville office of Wyatt, Tarrant & Combs and will concentrate his practice in the firm's expanding bankruptcy department.

**Dixie R. Satterfield** has created a new firm in Bowling Green, Kentucky under the name of Satterfield & Kafoglis.

1970

**John W. Bland, Jr.** has joined with **Barry Birdwhistell '80** and **Ken Howard** to form the Elizabethtown, Kentucky law firm of Bland, Howard and Birdwhistell.

**W. Larry Huffman** is now with the firm of Ferreri & Fogle in their Lexington office.

**Thomas B. Russell** has been elected to the position of President Elect of the Kentucky Bar Association. Russell is with the Paducah, Kentucky firm of Whitlow, Roberts, Houston &

Russell and is co-chairing the Kentucky Task Force on Gender Fairness as well as serving as President of the McCracken County Bar Association.

1971

**Asa P. Gullett, III** Hazard, Kentucky has been appointed to the 17-member Kentucky Task Force on Lawyer Discipline.

**W. Stokes Harris, Jr.** has joined with **Diana L. Beard** to form the Lexington law firm of Harris and Beard.

**William T. Robinson**, Covington, Kentucky is Chair-Elect of the Kentucky Chamber of Commerce, and has recently been elected as Treasurer of the Greater Cincinnati Regional Board of the National Conference of Christians and Jews.

1972

**Joe Jarrell** has joined in partnership with **Donald Waggener '73** to form the firm of Waggener & Jarrell in Lexington.

**George E. Long**, Benton, Kentucky has been appointed to the 17-member Kentucky Task Force on Lawyer Discipline.

**Thomas L. Osborne**, Paducah, Kentucky has been appointed Commonwealth Attorney for McCracken County, Kentucky.

1973

**William G. Francis**, Prestonsburg, Kentucky has been appointed to the 17-member Kentucky Task Force on Lawyer Discipline.

**Joseph M. Hood** has been appointed to fill the vacant judgeship in U.S. District Court for the Eastern District of Kentucky. Prior to his appointment he served as U.S. Magistrate. He replaces former Judge G. Wix Unthank.

**James M. Miller** of Owensboro, Kentucky has been appointed to a three year term on the Kentucky Council on Higher Education by Governor Wallace Wilkinson.

**Donald P. Moloney II** has been admitted to partnership with Ogden, Sturgill & Welch, Lexington.

**Honorable Charles Satterwhite**, Carrollton, Kentucky served as Presiding Judge in the nationally publicized trial of Larry Mahoney who was tried on criminal charges for his role in the May 1988 church bus crash in which 27 people were killed.



# Class Actions

**Donald D. Waggener** has joined in partnership with **Joe Jarrell '72** to form the firm of Waggener & Jarrell in Lexington.

## 1974

**Robert M. (Mike) Duncan** has been chosen for the Presidential Executive Exchange Program which provides business executives an opportunity to work in federal governmental positions for one year. Duncan will be in Washington as Assistant Director of the White House Office of Public Liaison.

**William Engle III** of Hazard, Kentucky has been appointed to the Kentucky Bar Association's Continuing Legal Education Commission by the Kentucky Supreme Court.

**C. Edward Hastie** has been named Managing Director of the law firm Morgan & Pottinger, Lexington.

**Dan L. Owens** has been admitted to partnership with Brown, Todd & Heyburn in Louisville.

**Frank Stainback, Jr.** of Owensboro, Kentucky has been appointed to the Kentucky Bar Association's Continuing Legal Education Commission by the Kentucky Supreme Court.

## 1975

**Stephen L. Barker**, Lexington, Kentucky has been appointed to the 17-member Kentucky Task Force on Lawyer Discipline.

**Richard M. Joiner** has joined with **Thomas Mitchell '55** and **Randall Hardesty '84** to form the Madisonville, Kentucky law firm of Mitchell Joiner & Hardesty.

**Irene C. Steen**, Richmond, Kentucky has been appointed as an Administrative Law Judge for the Kentucky Workers' Compensation Board.

## 1976

**Marcia M. Ridings**, London, Kentucky has been appointed to the 17 member Kentucky Task Force on Lawyer Discipline.

**Ann Samani** has joined the Lexington law firm of Brown, Bucalos, Santana and Bratt where she concentrates in the areas of bankruptcy law and commercial litigation.

**Terry Sellars** has joined the Lexington law firm of Henry Watz Gardner & Sellars as a partner.

**Honorable Rebecca Westerfield** has been serving as Co-Chair of the Kentucky Task Force on Gender Fairness.

## 1977

**Joseph E. Conley, Jr.** has been elected Chair of the Northern Kentucky Air Quality Board. He also chairs the planning committee for the upcoming UK/CLE book, Civil Practice After Trial.

**Bradford L. Cowgill** of Lexington, Kentucky has been appointed to the Kentucky Bar Association's Continuing Legal Education Commission by the Kentucky Supreme Court.

**Barbara B. Edelman** has been admitted to partnership with Wyatt, Tarrant & Combs in Lexington and serves in the firm's litigation department.

**Alison Lobb Emmons**, Richmond, Kentucky was recently recognized for her work in drafting legislation to safeguard the property of children by their guardians, which legislation became law as the Kentucky Guardianship Reform Act of 1990.

**Arnold R. Simpson**, Vice President of Corporate Development for Benefit Administrators, Inc. has joined the Covington, Kentucky law firm of Taliaferro & Mann, as "of counsel."

**Rena Gardner Wiseman** has been admitted to partnership with Stoll, Keenon & Park, Lexington.

## 1978

**Frank H. Edelen, Jr.**, currently Executive Director of the Kentucky Municipal Law Center at Salmon Chase College of Law, has been elected to his third consecutive term as Chair of the Kentucky Bar Association's Local Government Law Section.

## 1979

**Ann A. Chesnut** is now with the Lexington office of Greenebaum, Doll & McDonald.

**Donald W. Stanford** has joined Landrum & Shouse in Lexington and will concentrate his practice in the area of insurance defense.

**Lizbeth Ann Tully** has been admitted to partnership with Stoll, Keenon & Park, Lexington.

## 1980

**David Andrews** was recently accepted into membership in the Kentucky Collectors Association as the first attorney ever to be admitted to the organization.

**Barry Birdwhistell** has joined with **John Bland, Jr. '70** and **Ken Howard** to form the Elizabethtown, Kentucky law firm of Bland, Howard and Birdwhistell.

**Roy Fugitt** has been elected President of the Clark County Bar Association.

**Calvin R. Fulkerson** has been admitted to partnership with Stoll, Keenon & Park, Lexington.

**John O. Morgan** has been admitted to partnership with Kincaid, Wilson, Schaeffer, Hembree, Van Inwegen & Kinser in Lexington.

**Honorable Janet L. Stumbo**, Judge on the Kentucky Court of Appeals, was inducted into the Morehead State University Hall of Fame at their 1990 Founder's Day Celebration.

## 1981

**James H. Newberry** and **William C. Rambicure** have joined **Jamie Hargrove '83**, to create the new Lexington law firm of Newberry, Hargrove and Rambicure.

**Charles M. Pritchett, Jr.** has been admitted to partnership with Brown, Todd & Heyburn in Louisville.

## 1982

**Bennett E. Bayer** has joined with **C. David Emerson '68** to form the Lexington law firm of Emerson & Bayer.

**Alice Bradshaw** has been elected Vice President of the Clark County Bar Association.

**Kerry B. Harvey** is serving as Chair of the Board of Regents for Murray State University and has received praise for his leadership in concluding the selection of a new University President for that school.

**J. Jeffrey Landen** served as Co-Chair of the Cincinnati Bar Association's 1990 Mock Trial Program.

**James D. Lyon** has joined with **Norman G. Golibersuch '87** to form the Lexington law firm of Lyon, Golibersuch & Bausch.

**Philip M. Moloney** has been admitted to partnership with Ogden, Sturgill & Welch, Lexington.

**Candace A. Shaughnessy** has joined the firm of Wyatt, Tarrant & Combs.



# Class Actions

1983

**C. Joseph Beavin** has been admitted to partnership with Stoll, Keenon & Park, Lexington.

**Diane M. Carlton**, has been admitted to partnership with Stoll, Keenon & Park, Lexington.

**Kendall Singletary Cheek** has been admitted to partnership with Stoll, Keenon & Park, Lexington.

**Vincent J. Cotton, Jr.** has been admitted to partnership with Kincaid, Wilson, Schaeffer, Hembree, Van Inwegen & Kinser in Lexington.

**James E. Hargrove** has joined with **Jim Newberry** and **Bill Rambicure**, both '81, to create the newly formed Lexington law firm of Newberry, Hargrove and Rambicure.

**Thomas H. Irwin**, who teaches international law at the University of Louisville had an article published in the April 1990 American Bar Association Journal entitled "And The Wall Came Down - A Letter From East Germany."

**Cherry Owens** has joined the Lexington, Kentucky law firm of Lyon, Golibersuch & Bausch.

**Elizabeth M. Riley** practicing with Womble Carlyle Sandridge & Rice in Raleigh, N.C. has been appointed to the Civil Rights and Governmental Liability Committee of the Defense Research Institute.

**T. Richard Riney** has been admitted to partnership with Greenebaum Doll & McDonald in Louisville. He concentrates his practice in commercial finance.

**Larry A. Sykes** has been admitted to partnership with Stoll, Keenon & Park, Lexington.

1984

**Russell J. Baldani** served as one of two primary defense attorneys in the nationally publicized trial of Larry Mahoney who was tried on criminal charges for his role in the May 1988 church bus crash in which 27 people were killed.

**Stephen W. Cessna** has been admitted to partnership with Lewis, Scoville, Scoville, Cessna and Crawford with offices in London and Corbin, Kentucky.

**Wanda L. Delaplane** formerly with the General Counsel's Office of the Kentucky Department of Agriculture has joined the Asbestos Litigation Branch of the Kentucky Attorney General's Office.

**Randall L. Hardesty** has joined with **Thomas Mitchell '55** and **Richard Joiner '75** to form the Madisonville, Kentucky law firm of Mitchell, Joiner & Hardesty.

**Marsha J. Lambert** is now with the Louisville office of Greenebaum, Doll & McDonald.

**Robert E. Maclin III** has been admitted to partnership with Kincaid, Wilson, Schaeffer, Hembree, Van Inwegen & Kinser in Lexington. He has also recently been elected a Fellow of the American Bar Foundation, an honorary organization of lawyers whose careers have demonstrated dedication to their communities and to the legal profession.

1985

**Jeffrey L. England** has been elected President of the Hardin County Bar Association.

**Karen Greenwell**, Lexington, Kentucky was the subject of a feature article on her volunteer efforts with the Fayette County schools, "Experience Based Career Education" program in which high school students are given an opportunity to work with various professionals to guide them in career choices.

**Susan Kennedy** has been named a partner with the Lexington law firm of Andrews and Kennedy, formerly Andrews and Shackelford.

**Jane Adams Stephens** of Somerset, Kentucky has recently been elected Chair of the Board of Directors of the Appalachian Research and Defense Fund.

**Jennifer Lewis Todd**, daughter of former dean Tom Lewis has joined the Lexington law firm of Newberry, Hargrove and Rambicure.

1986

**Ruth Webb Francis** formerly of Ogden, Sturgill & Welch, Lexington has joined with C. Gerald Martin to form the Winchester, Kentucky law firm of Martin and Francis.

**A. Michael Marx** has joined Stoll, Keenon & Park. His practice will focus in the area of employee benefits.

**Joseph H. Mattingly III** has been admitted to partnership with Spragens, Smith, & Higdon in Lebanon, Kentucky.

**Mark H. Reed** has been named managing attorney for Hyatt Legal Services' Norwood, Ohio office.

1987

**Leah Cooper** recently testified before the Kentucky Gender Fairness Task Force pulled together by Supreme Court Chief Justice **Robert F. Stephens '51**.

**Norman G. Golibersuch** has joined with **James D. Lyon '82** to form the Lexington law firm of Lyon, Golibersuch & Bausch.

**Lisa L. Johnson** is now with the Lexington firm of Landrum & Shouse and is working in the areas of insurance defense and family law.

**Carol Paisley Shuffett** has opened her own law office at 512 Security Trust Bldg., 271 West Short St., Lexington. She is concentrating her practice in domestic relations and adoption.

**Mary A. Stephens** has joined the Lexington law firm of Emerson and Bayer.

**Lynn Conrad Stidham** has been elected Vice President of Lexington's Chapter of Executive Women International.

**Vickie L. Wise** has been appointed Director of the General Administration and Support Division for the Office of the Attorney General of Kentucky.

1988

**John Cooley** received a Law Day Award from the Fayette County Bar Association for his work in providing free legal services to the indigent.

**Davalene Cooper**, formerly with the Columbia, Kentucky office of the Appalachian Research and Defense Fund, has accepted a position as an Instructor in the Legal Practice Skills Program at Suffolk University Law School in Boston, Massachusetts.

**Dona Gilliam** has been named Assistant Professor of Music Industry at James Madison University in Harrisonburg, Virginia.

**Greg Van Tatenhove** has been admitted to the U.S. Department of Justice's Honors Program to work in the Federal Programs Branch of the Civil Division in Washington, DC.

1989

**Lynn M. Hartzman** formerly with the Kentucky Natural Resources and Environmental Protection Cabinet has been appointed Assistant Attorney General in that office's Criminal Appellate Division.

**Richard A. Whitaker** has joined the Lexington law firm of Vimont & Wills.



# Class Actions

## IN MEMORIAM

- |   |  |  |
|---|--|--|
| 1923 <b>William H. Smith</b> - Lexington, Kentucky. Jan. 12, 1990.  | 1941 <b>Hon. James F. Gordon</b> - Venice, Fla. Jan. 2, 1990.                  | 1950 <b>Blake H. Page</b> - Winchester, Kentucky, July 12, 1990. |
| 1928 <b>Lena M. Craig</b> - Frankfort, Kentucky                     | 1941 <b>Jack Q. Heath</b> - Louisville, Kentucky                               | 1951 <b>Arthur W. Purkel</b> - Mascoutah, Illinois               |
| 1930 <b>Eldred E. Adams</b> - Louisa, Kentucky                      | 1942 <b>Charles Landrum, Jr.</b> - Lexington, Kentucky                         | 1952 <b>William M. Deep</b> - Henderson, Kentucky                |
| 1930 <b>Robert M. Odear</b> - Lexington, Kentucky                   | 1944 <b>Leo E. Oxley</b> - Huntington, West Virginia, June 1, 1990.            | 1956 <b>Robert G. Trimble</b> - Henderson, Kentucky.             |
| 1931 <b>Carroll W. Morrow</b> - Madisonville, Kentucky              | 1948 <b>John M. Kinnaird</b> - Pawley's Island, S.C. Sept. 5, 1989.            | 1965 <b>Richard P. Blandford, Sr.</b> - Lebanon, Kentucky        |
| 1934 <b>Joseph Frank Conley</b> - Carlisle, Kentucky                | 1949 <b>Hon. Bradford T. Garrison</b> - Nicholasville, Kentucky February 1990. | 1968 <b>Harlan E. Judd</b> - Burkesville, Kentucky               |
| 1934 <b>Bruce Morford</b> - Alexandria, Virginia, February 11, 1990 | 1949 <b>Hal J. Rucker</b> - Midland, Texas January 7, 1990.                    | 1972 <b>Richard N. Rose</b> - Lexington, Kentucky                |
| 1939 <b>Thomas Loy Burress</b> - Greensburg, Kentucky               |  |  |

## Corrections

The Fall 1989 issue of *Kentucky Lawyer* included a listing of 1988 donations to the College of Law from alumni and friends that failed to include, or misreported, gifts from several contributors. Following is a listing of those contributors and their correct gift categories. Our thanks to these and all donors for 1988, and our apologies for the error.

### LEADERSHIP GIFTS

(Gifts of \$5,000 and above)  
Milton M. Livingston, Jr. '66

### DEAN'S COUNCIL

(Gifts of between \$1,000 and \$4,999)  
Richard W. Spears, '61  
James G. Stephenson, '67

## Send Us Your News

If you have news of professional, personal, or community activities you would like us to consider for "Class Actions" please write us at:

Editor  
*Kentucky Lawyer*  
260 College of Law Building  
University of Kentucky  
Lexington, KY 40506-0048



# Oyez, Oyez . . .

Be it known that a preliminary survey indicates that  
the named partners in the following firms  
are all living graduates of the  
University of Kentucky College of Law.

Campbell, Kerrick & Grise  
Bowling Green

Harned, Anderson & Bachert  
Bowling Green

Woodall & Quinn  
Cadiz

Ragland and Hicks  
Calhoun

Durham, Durham & Zornes  
Columbia

Hoskins & Saunders  
Corbin

Trimble & Mann  
Corbin

O'Hara, Ruberg & Taylor  
Covington

Garmon & Goodman  
Glasgow

Richardson & Patton  
Glasgow

Forester, Buttermore, Turner & Lawson, P.S.C.  
Harlan

Hagan & Bolt  
Hartford

Hayden & McKown  
Hartford

Sheffer, Hoffman & Thomason  
Henderson

Fletcher & Kemp  
Hopkinsville

Abshire & Abshire  
Lexington

Andrews and Kennedy  
Lexington

Austin & Ward  
Lexington

Brock, Brock & Bagby  
Lexington

Bunch & Brock  
Lexington

Emerson & Bayer  
Lexington

Fleming, Horstmeier & Fleming  
Lexington

Geralds, Moloney & Jones  
Lexington

McCoy, Baker & Newcomer  
Lexington

Miller, Griffin & Marks, P.S.C.  
Lexington

Murphy, King, Enlow & Dunn  
Lexington

Newberry, Hargrove & Rambicure  
Lexington

Savage, Garmer & Elliot, P.S.C.  
Lexington

Shuffett and Paris  
Lexington

Todd, Walter & Cox  
Lexington

Trimble & Henry  
Lexington

Webb & Hoskins, P.S.C.  
Lexington

Bledsoe & Bryson, P.S.C.  
London

Cunnagin & Cunnagin  
London

Mitchell, Joiner & Hardesty  
Madisonville

Neely & Brien  
Mayfield

Clarke & Clarke  
Maysville

Cline & Edens  
Middlesboro

Maxey, Riggs & Moore, P.S.C.  
Mount Sterling

Clontz & Cox  
Mount Vernon

Jones & Bradley  
Paducah

Washburn & Key  
Paducah

Wells, Porter, Schmitt and Walker  
Paintsville

Combs & Combs, P.S.C.  
Pikeville

Johnson, Vanover & Hall  
Pikeville

Combs & Combs  
Prestonsburg

Latta & Brown  
Prestonsburg

Eldred & Wells  
Princeton

Coy, Gilbert & Gilbert  
Richmond

Green & Joines  
Russellville

Polly, Craft, Asher & Smallwood  
Whitesburg



## *Undergraduate Institutions Represented in Student Body*

Classes in the student body in 1989-90 contained representatives who did their undergraduate work at the following institutions:

Abilene Christian University  
Alice Lloyd College  
Alma College  
Bard College  
Bates College  
Baylor University  
Bellarmine College  
Berea College  
Boston College  
Brescia College  
Brigham Young University  
California State University at Fullerton  
Campbellsville College  
Centre College  
University of Chicago  
University of Cincinnati  
City College of New York  
University of Colorado  
Cornell University  
Cumberland College  
Davidson College  
Denison University  
DePauw University  
Duke University  
Eastern Kentucky University  
Eastern Michigan University  
Emory University  
Emporia State University  
University of Florida  
Georgetown College  
Georgetown University  
Hanover College  
University of Illinois  
Indiana University

James Madison University  
Kalamazoo College  
University of Kentucky  
Kentucky Christian College  
Kentucky State University  
Kentucky Wesleyan College  
University of Louisville  
Marshall University  
University of Miami  
Miami University  
University of Michigan  
Middlebury College  
Midwestern State University  
University of Mississippi  
University of Missouri  
Morehead State University  
Murray State University  
New Mexico State University  
University of North Carolina at Chapel Hill  
Northern Illinois University  
Northern Kentucky University  
Northwestern University  
University of Notre Dame  
Oberlin College  
Ohio State University  
University of Oregon  
University of Pittsburgh  
Princeton University  
Purdue University  
University of Rhode Island  
Roger Williams College  
Rutgers University  
University of South Florida  
Sacred Heart College

University of San Diego  
Saint Lawrence University  
University of the South  
University of South Carolina  
Southern Methodist University  
St. Andrews Presbyterian College St. Louis  
St. Louis University  
Stanford University  
State University of New York  
University of Tennessee  
University of Texas at Austin  
University of Texas at Arlington  
Texas Christian University  
Texas Woman's University  
Thomas More College  
Transylvania University  
Tulane University  
Union College  
U. S. Military Academy  
Vanderbilt University  
University of Virginia  
Virginia Polytechnic University  
Wake Forest University  
University of Washington  
Washington & Lee University  
West Virginia Institute of Technology  
West Virginia University  
Western Illinois University  
Western Kentucky University  
University of Wisconsin at Eau Claire  
University of Wisconsin at Madison  
Worcester Polytechnic University  
Wright State University  
Xavier University



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